

Memorandum



Date: June 3, 2008

Agenda Item No.
12(B)1

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

From: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "Burgess", written over the printed name of the County Manager.

Subject: City of Florida City Area G1, G2 and G3 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 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 enter into an interlocal agreement with the County requiring the County to approve any zoning of rock mines and other lake excavations and granting the County exclusive authority to modify or enforce existing covenants proffered as part of a zoning or other land use approval.

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 approximately 34 acres or a 0.05 square mile area located south of the City's boundaries. The proposed annexation area is generally bounded on the north by SW 352nd Street, on the south by SW 360th Street, on the east by SW 178th Avenue, on the west by SW 185th Avenue. The annexation consists of three separate parcels not contiguous to each other, but contiguous to Florida City. These areas are located within the Urban Development Boundary (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 \$270 is estimated. Section 20-8 of the Miami-Dade County Code allows the County to retain all franchise fees for the term of the agreement and all utility taxes in perpetuity. Because the area is not developed, it currently does not generate any utility taxes or franchise fees. It is recommended that any future franchise fees and utility taxes generated in the annexation area be retained by the County.

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

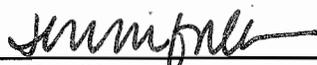
On October 11, 2005, the City of Florida City Council, pursuant to section 6.04 of the Miami-Dade Home Rule Charter and Section 20-3 of the Miami-Dade County Code, approved a resolution initiating a proposed boundary change. On October 14, 2005, the City submitted the annexation application to the Clerk of the Board. The City's annexation application was accepted by the BCC at the June 26, 2007 meeting and forwarded to the Office of Strategic Business Management for review, as required by Code.

On March 3, 2008, the 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).

The full PAB also conducted a public hearing for this proposed annexation on March 3, 2008. The PAB concluded the hearing by adopting a resolution recommending approval of the annexation with the condition that the County retains zoning and other regulatory approval of rock mines and other lake excavations and granting the County exclusive authority to modify or enforce existing covenants proffered as part of a zoning or other land use approval (Attachment II).

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

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 three separate areas that are not contiguous to each other, but are contiguous to the City of Florida City and generally described below:

Area: On the North: SW 352 Street;
On the South: SW 360 Street;
On the West: SW 185th Avenue;
On the East: SW 178th Avenue; 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 March 3, 2008; and

WHEREAS, on March 3, 2008, the Incorporation and Annexation Committee held an advertised public meeting, concerning this application for annexation by the City of Florida City,

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 application.

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

| | | | |
|---------------|-----|-----------|-----|
| Antonio Fraga | Yes | Al Maloof | Yes |
| Serafin Leal | Yes | Jay Sosna | No |

Horacio Huembes, Chair Yes

The Chair thereupon declared the resolution duly passed and adopted this 3rd day of March 2008.

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 FLORIDA CITY.

WHEREAS, the City of Florida City has petitioned for the annexation of three separate areas that are not contiguous to each other, but are contiguous to the City of Florida City and generally described below:

Area: On the North: SW 352 Street;
 On the South: SW 360 Street;
 On the West: SW 185th Avenue;
 On the East: SW 178th Avenue; 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 March 3, 2008; and

WHEREAS, on March 3, 2008, 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 application; and

WHEREAS, on March 3, 2008, the Planning Advisory Board held an advertised public hearing, concerning this application by the City of Florida City,

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 Rinehart, who moved its adoption and was seconded by Board Member Maloof, and upon being put to a vote the vote was as follows:

| | | | |
|------------------------|--------|------------------|--------|
| Reginald J. Clyne | Absent | Douglas Krueger | Absent |
| Antonio Fraga | Yes | Serafin Leal | No |
| Pamela Gray | No | Al Maloof | Yes |
| Horacio Carlos Huembes | Yes | William Riley | No |
| Rolando Iglesias | Yes | Wayne Rinehart | Yes |
| Eddy Joachin | Absent | Christi Sherouse | No |
| Daniel Kaplan | Absent | Jay Sosna | No |

Georgina Santiago, Chair Yes

The Chair thereupon declared the resolution duly passed and adopted this 3rd day of March 2008.

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



Subrata Basu
Executive Secretary

Memorandum



Date: March 3, 2008

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 G

Background

On October 14, 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 26, 2007 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).

Analysis

The proposed annexation area is approximately 34 acres or 0.05 square miles bounded on the north by SW 352nd Street, on the south by SW 360th Street, on the east by SW 178th Avenue and on the west by SW 185th Avenue. The annexation consists of three separate areas that are not contiguous to each other, but are continuous to Florida City. These areas are within the Urban Development Boundary (UDB).

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 two (2) miles 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 | 3 | 0 | 0 | 3 |

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 | 0 | 0 | 0 |

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

The City of Florida City is within the Miami-Dade County Fire Rescue District. If this annexation is approved, the area will continue to receive fire and rescue services from the Miami-Dade Fire Rescue Department (MDFR) from the same stations and resources. This annexation will not impact MDFR service delivery and/or response time inside the UDB.

Existing and Planned Fire Rescue Stations

The proposed Florida City annexation area G is situated within the station territory of **Station 65, East Homestead**, located at 1350 SE 24 Street. The Station is equipped with a Rescue and permanently staffed by three (3) firefighters/paramedics.

Other Fire Rescue stations within a three (3) mile radius are:

Station 16, Homestead, located at 325 NW 2 Street. The Station is equipped with a Rescue, an Engine and a 75' Ladder and permanently staffed by eleven (11) firefighters/paramedics.

Station 66, Villages of Homestead located at 3100 SE 8 Street. The Station is equipped with an ALS Engine and permanently staffed by four (4) firefighters/paramedics.

Station 6, Modello, located at 15890 SW 288 Street. Station is equipped with a Rescue and a BLS Tanker and permanently staffed by seven (7) firefighters/paramedics.

Planned Station:

For future urban expansion and in order to shorten the travel time to the incidents in the area, the Miami-Dade Fire Rescue Department plans to build the **Station 72** in the vicinity of SW 344 Street & 127 Avenue.

Service Delivery

The proposed annexation area consists of a small portion within a police grid. Miami-Dade Fire Rescue (MDFR) collects data on a grid basis and is unable to break out any calls directly related to the three annexation parcels. The following information corresponds to the entire grid. In calendar year 2006, there were a total of 118 annual alarms within the proposed Annexation Area G with an average travel time of 8:48 minutes. Of these, total life threatening calls were 64 with an average travel time of 9:21 minutes.

| Miami-Dade Fire Rescue Department - Service Delivery to Annexation Area G | | | | | | |
|---|----------------------|-------|-------|-------------|------|------|
| Florida City - Calendar Years 04-05-06 | | | | | | |
| | Travel Time Averages | | | Call Volume | | |
| | 2004 | 2005 | 2006 | 2004 | 2005 | 2006 |
| Total Alarms | 09:42 | 09:42 | 08:48 | 100 | 105 | 118 |
| Life Threatening Emergencies | 08:42 | 09:16 | 09:21 | 60 | 62 | 64 |
| Non Life Threatening Emergencies | 11:06 | 10:37 | 10:39 | 16 | 19 | 23 |
| Other Miscellaneous | 09:00 | 09:21 | 09:42 | 17 | 17 | 14 |
| Other Fires | 09:59 | 09:21 | 08:11 | 7 | 7 | 14 |
| Structure Fires | | | 05:09 | | | 3 |

Water and Sewer

The proposed annexation area is within the Miami-Dade Water and Sewer Department's (WASD) water and sewer service area. Requests for future water and sewer service in the annexation area within the UDB should be directed to WASD. WASD does not have the water and sewer facilities outside of the UDB and will not provide water or sewer services outside the UDB. There are no proposed capital projects, including General Obligation Bond (GOB) projects in the area at this time. The annexation will have no impact on WASD's ability to provide services to the remaining UMSA area in the vicinity.

Solid Waste

Impact on Collection

The proposed annexation area is generally vacant and/or used for agricultural purposes, the County does not provide waste collection service at this time and therefore no impact on either the Department or the waste collection services provided to UMSA is anticipated.

Impact on Disposal

As the Department 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 in the future, the annexation would have no immediate impact on the Department or the disposal services provided. Longer-term impacts will be addressed as development occurs.

Other Comments:

It is critical to note that the 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 stated on page 12 of the application). The follow-up comment (on page 22), 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 is 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 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, the Department of Solid Waste Management

(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 the DSWM's ability to meet debt coverage requirements or to hold down the cost of collection).

Department of Environmental Resources Management (DERM)

Natural Resources and Ecosystem

The proposed annexation consists of parcels in a generally low-lying, 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.

Pursuant to the requirements of Section 24-43 of the Code, nonresidential land uses are generally not permitted in areas that are served by septic tanks and private potable water wells, and may not be authorized by any County or municipal official without the approval of DERM. The Code also contains detailed and strict criteria limiting the circumstances under which such approvals may be granted by DERM. These requirements are necessary to protect groundwater quality, particularly as it relates to drinking water supplies and human health, as well as the general environmental resources of the area.

The sensitive surroundings and the lack of infrastructure will likely increase the need for environmental monitoring, compliance, and enforcement services, even in connection with low-density residential, agricultural or rural development, or uses allowed under current land use designations.

Potable Water Supply and Wastewater Disposal

Florida City's current potable water supply does not appear to be adequate to support development within the proposed annexation areas. The maximum volume of potable water withdrawal allowable (on an annual average basis) has been routinely exceeded since late 2006. Furthermore, based on recent consumptive use trends, DERM has concerns that there may no longer be reasonable assurance that ongoing improvements to reduce leakage from the City's water supply system will be sufficient to offset increasing demand.

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

- 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 annexations

DERM is also concerned that annexation will 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 result in the creation of saltwater contaminated surface water bodies, aggravate landward movement of salty groundwater, and increase risk to

potable water supply. At least one rock mine borrow pit is present within the proposed annexation area. Currently, DERM has no direct permitting authority over rock mines in upland areas and relies on the County's unusual use permitting process to insure water quality is protected. Once the area incorporates, the County's unusual use authority (at least within the Urban Development Boundary [UDB]) is lost, thereby constraining DERM's ability to protect water quality for these types of projects.

There are no NFC issues for Areas G-1 and G-3. Area G-2, the area is adjacent to a County-owned EEL/NFC site. This raises concerns that the annexation of this area could result in Miami-Dade County being excluded from the site development review process for this area, which could result in property use approvals that are not consistent with the preservation and management of the EEL/NFC site.

Recommendations:

1. The Interlocal Agreement should prohibit the municipality from issuing approvals for any non-residential land uses in areas that are served by septic tanks or private potable water wells without the prior written approval of DERM.
2. The Interlocal Agreement should preserve the County's ability to enforce existing covenants (including zoning and other land use approval covenants) and management plans currently running with the land in favor of Miami-Dade County that relate, at least, in part, to the following: tree, forest or other vegetation protection requirements; pollution control, surface or groundwater protection, wellfield protection; the Florida Keys Aqueduct Authority (FKAA); and wetland or other environmental mitigation.
3. The Interlocal Agreement should prohibit the municipality from issuing any land use or zoning approvals for rock mine borrow pits prior to a written determination from DERM that the requested approval(s) is/are consistent with applicable water quality protection requirements, including, but not limited to, maximum depth limitations to prevent chloride contamination of surface waters, due to salt intrusion.
4. The Interlocal Agreement for Areas G should include a provision that approval of land use changes and site development should be coordinated with the County for sites that involve a designated NFC. Section 24-49.3(2) of the Code states, in pertinent part, that, if it is determined that the proposed development site is within an NFC, the standards set forth in Section 24-49.2 of the Code shall apply. No County or municipal officer, agent, employee or Board shall approve, grant or issue any building permit, certificate of use and occupancy, platting action, or zoning action for any land use involving division of property into parcels less than five (5) acres within NFC's without obtaining the prior written approval from DERM.

Potable Water Supply

Area G-1

The City of Florida City water distribution system abuts the referenced area on the northeast corner. Additionally, there is a MDWASD 8-inch water main running through the area along S.W. 185th Court. This main is served by the Newton Water Treatment Plant. This plant is running at 88% of its permitted capacity, and producing water that meets the local, State and Federal quality requirements.

The City of Florida City water treatment plant is running 8.9% above the DERM permitted capacity, and is exceeding the SFWMD consumptive permit by 2%. The City's water system does not have spare capacity for additional water uses.

Area G-2

The City of Florida City water distribution system is located about 2000 feet north of this area. MDWASD has an 8-inch main, which abuts the south side of the area, along S.W. 360th Street. This main is served by the Newton Water Treatment Plant that is running at 88% of its permitted capacity. This water treatment plant is producing water that meets the local, State and Federal quality requirements.

The City of Florida City water treatment plant is running 8.9% above the DERM permitted capacity and is exceeding the SFWMD consumptive permit by 2%. The City's water system does not have spare capacity for additional water uses.

Area G-3

The City of Florida City water distribution system is located at about 1000 LF west of the northwest corner of Area G-3. Additionally, MDWASD has an 8-inch water distribution main, which abuts the subject area along the west and south sides. This 12-inch main is served by the Newton Water Treatment Plant that is running at 88% of its permitted capacity. This water treatment plant is producing water that meets the local, State and Federal quality requirements.

Sanitary Sewer Service

Area G-1

The area is served by MDWASD PS No. 30-1031. From 1031, the flows discharge to MDWASD PS 30-1073, and then to Booster 30-0692. Booster 692 directs the flows to the SDWWTP. All pump stations are currently working within the mandated criteria set forth in the Fist Partial Consent Decree.

The City of Florida City PS 20 also abuts the area to the northeast corner. PS 20 discharges to the MDWASD PS 1073, and from here, the flows follow the path described above. PS is operating in initial moratorium. Capacity cannot be certified while on this condition.

Area G-2

The MDWASD PS 30-1072 gravity mains are located at about 1150 LF east of area G-2. From 1072 the flows discharge to MDWASD PS 30-1073, and then to Booster 30-0692. Booster 692 directs the flows to the SDWWTP. All pump stations are currently working within the mandated criteria set forth in the Fist Partial Consent Decree.

The City of Florida City PS 29 gravity mains are located at about 2000 LF north of this area. PS 29 discharges to the MDWASD PS 1073, and from here, the flows follow the path described above. PS 29 is currently working within the mandated criteria set forth in the Fist Partial Consent Decree.

Area G-3

MDWASD PS 30-1072 gravity mains abut the property on the west, south, and east sides. From 1072 the flows discharge to MDWASD PS 30-1073, and then to Booster 30-0692. Booster 692 directs the flows to the SDWWTP. All pump stations are currently working within the mandated criteria set forth in the First Partial Consent Decree.

The City of Florida City PS 29 gravity mains are located at about 1000 LF west of the northwest corner of area G-3. PS 29 discharges to the MDWASD PS 1073 and from here, the flows follow the path described above. PS 29 is currently working within the mandated criteria set forth in the First Partial Consent Decree.

Stormwater Utility (SWU) Program and Fees

At the time of annexation, any improved real estate in the proposed annexation areas 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 Florida City when the annexations occur.

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

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

Because there are no stormwater accounts in the area, there would be no impact on SWU debt service if the annexation is approved.

Canal Maintenance Agreement

A cost-share for Federal Emergency Management Agency (FEMA)-funded projects may also be necessary, if such projects had been constructed in the proposed annexation area.

Drainage Permitting

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

DERM has received delegated authority to issue permits for the SFWMD, through issuance of the Environmental Resources Permit (ERP). Jurisdiction to require an ERP is countywide, and is dependent upon the size of the development. Authority and attendant permits to allow construction of an overflow outfall to a body of water is also countywide, as is performing drainage works in County rights of way.

The above requirements and authority would continue to exist in the proposed areas, as it currently does in Florida City.

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.

Part of the NFIP includes notifying FEMA when corporate boundaries change. Florida City would therefore need to report the new annexed area as changed incorporated boundaries to FEMA as part of its bi-annual report.

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. This document is called a Stormwater Management Master Plan. The County is divided into drainage basins, which are then modeled to determine what drainage is needed for each area now and in the future. By planning for future drainage needs, the County can ensure that the level of flood protection service provided to residents is maintained.

If the proposed annexation areas were approved, it would be likely that the County would have modeling data complete for the proposed area. The County recommends that Florida City coordinate with the County to obtain this valuable data, which also can be used to improve Flood Insurance Rate Maps.

National Pollutant Discharge Elimination System (NPDES)

The NPDES Municipal Separate Storm Sewer (MS4) Program is a nationwide permit program that has an objective of controlling pollution going to surface water bodies via storm sewer systems. 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.

Miami-Dade County shares an NPDES permit with 24 municipalities, two FDOT districts, and Miami-Dade County Expressway Authority (MDX). Under a related NPDES Interlocal Agreement, the County performs surface water and sediment sampling for all co-permittees. Each co-permittee is assessed an annual fee, based on the number of outfalls each co-permittee has.

Records reveal that Florida City is not a participant in the County's joint-permit or related Interlocal Agreement. Therefore, any outfalls contained within the annexed areas would be the responsibility of Florida City to include in its separate NPDES Permit.

An annual permit fee, based on population, is also assessed by the State to each permit holder. The amount of Florida City's permit fee will increase if the annexation occurs.

Transfer of Roads

Certain County roads located within the proposed annexation may need to be transferred to Florida City. This can be accomplished through an Interlocal Agreement. This Agreement would outline the subject roads; various road-related services, and the costs and responsibilities

of Florida City and the County for these services. Because County Stormwater Utility funds are used to maintain rights of way and drainage systems in the County rights of way and roads, as well as canal and ditch maintenance activities when transferring those roads, the Water Management Division would be a party to the Agreements.

Hazardous Waste

A review of departmental records indicate that, within the areas designated as G-1, G-2 and G-3 proposed for annexation, there are no records of current contamination assessment/remediation issues, nor are there historical records of contamination assessment/remediation issues associated with non-permitted sites.

Furthermore, no portion of the areas designated as G-1, G-2 and G-3 proposed for annexation, is within a wellfield protection area, or within an area known to be saltwater-intruded, based on the 1995 USGS 1,000 ppm isochlor line, which approximates the inland extent of saltwater intrusion at the base of the aquifer.

Tree Preservation

The subject areas may contain specimen-sized (trunk diameter 18 inches or greater) trees. Section 24-49.2(II) of the Code requires that specimen trees be preserved whenever reasonably possible. 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 Tree Removal Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

The applicant is required to comply with the above tree permitting requirements. DERM's approval of the subject annexation proposals is contingent upon inclusion of said tree permitting requirements in the resolution approving these applications. The applicant is advised to contact DERM staff for additional information regarding tree permitting procedures and requirements prior to site development.

Environmentally Endangered Lands (EEL)

The EEL Program of DERM has reviewed the City of Florida City's Application for Annexation of Areas, G1, G2, and G3. Section 24-50 of the Code directs the EEL program to acquire, preserve, enhance, restore, conserve and maintain threatened natural forest and wetland communities located in Miami-Dade County, for the benefit of present and future generations. There are no EEL acquisition projects (South Dade Wetlands (SDW) and Rockridge Pinelands) in the proposed annexation areas.

The EEL Program has been acquiring lands in the South Dade Wetlands since 1994, sometimes in partnership with the SFWMD and other grant partners. The South Dade Wetlands contain the most important wetland system in the southern part of Miami-Dade County. Public agencies have targeted the area for acquisition because of the wetland's strategic location between two national parks (Everglades and Biscayne) in the watersheds of Florida Bay, Biscayne Bay, Card Sound, and Barnes Sound, and because of the importance of the region to endangered and threatened species, including the Florida panther, the American crocodile, the Cape Sable seaside sparrow, the white-crowned pigeon, the swallow-tailed kite, the Southern bald eagle, and the roseate spoonbill.

The Rockridge Pineland projects include globally imperiled pine rockland habitat that occurs only in southern Miami-Dade County, the Florida Keys, and some of the islands of the Bahamas. Over 225 types of native plants occur here, and more than 20% of the plant species are not found anywhere else in the world. Several of the plant species are federally listed as threatened or endangered. Pineland rocklands, sometimes interspersed with hardwood hammocks, once covered 180,000 acres of Miami-Dade County. Presently, only 2% of the historical pine rockland forest remains.

Specific portions of the SDW Acquisition Project and Rockridge Pineland Acquisition projects of the EEL Program that overlap the proposed Florida City Annexation boundaries illustrated in the City's applications for annexation are detailed below. The acreage estimates that follow are GIS computer-generated and approximate areas, based on the proposed annexation boundaries and County parcel information there are 34 acres proposed for annexation, none of this land is within the EEL Acquisition area.

Acquisition and management of lands in the annexation areas present the following issues and potential areas of concern for the EEL program:

- Area G2 is directly adjacent to land that is already acquired by EEL, including small parcels in private ownership that are needed to complete the existing EEL preserve.
- The annexation footprints include vast acreage of lands that are directly adjacent to, or within approved EEL acquisition areas. Changes in land use may cause impacts to the biological, hydrological, and ecological function on publicly-owned conservation lands both within and directly adjacent to the annexation areas.
- Miami-Dade County has a vested interest in maintaining EEL areas as natural preserves. Alteration or development on parcels adjacent to EEL properties must avoid adverse impacts to preserves associated with the placement of buildings, construction of infrastructure, storage of construction materials and equipment, final grade, drainage, and erosion.
- Changes to roads and rights of way within the annexation boundaries may impact protection of EEL land and EEL management tasks, such as exotic vegetation control activities. Paving roads into the area is not compatible with protection of the biological, hydrological, and ecological functions, due to potential direct impacts to sheetflow and wildlife corridors, and potential indirect impacts such as increased dumping and trespassing. The EEL program relies on controlled access to its parcels and potentially to those lands held by other government entities to manage and protect EEL lands. EEL owns additional land in other contiguous portions of south Dade beyond the annexation boundaries, so changes to roads and rights of way may impact publicly-held and -managed lands beyond the proposed annexation footprints.

Additionally, we are submitting the following information concerning services provided by DERM on the subject areas, which include, but are not limited to the following:

I. Review and approval or disapproval of development orders

- 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 is responsible for promoting and coordinating pollution prevention programs, waste minimization programs, urban CO2 reduction, and environmental education, in general. OSEE can be contacted at 305-372-6828 for any additional information regarding these services.

IV. Enforcement Activities

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

1. Inasmuch as DERM's regulatory activities are enforceable under the Code in both incorporated and unincorporated areas, 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.
2. 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.

Public Works

The County has identified approximately 0.12* lane miles within the Florida City Annexation Application Area G. The County is proposing to keep the following corridors:

- SW 360 Street from SW 185 Avenue to SW 184 Avenue (in area G1)
- SW 360 Street from SW 182 Avenue to SW 180 Avenue (in area G2)

The above mentioned segments are not paved. The unpaved roads were not considered because they are not in the routine maintenance schedule of the Road & Bridge section within Public Works.

* SW 356 Street, situated within the G1 area, is the only paved road in this application (0.12 lane miles). Currently, this two-lane road is shared by the City (north half) and the County (south half). Although the south half of the road has not been dedicated (25 feet), it was considered for lane miles calculations.

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 20-6 of the County Code. Will the annexation:

1. Divide a historically recognized community:

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

2. Will if approved result in an annexation area 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 agriculture, industrial, and transportation/communication/utilities. The existing underlying zoning is AU, Agriculture. In general, the uses in the proposed annexation area are consistent with the land uses and zoning within the City of Florida City.

3. 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.

4. Impact public safety response times?

Fire and Rescue: The City of Florida City is within the Miami-Dade County Fire Rescue District. If this annexation is approved, the area will continue to receive fire and rescue services from the Miami-Dade Fire Rescue Department from the same stations and resources. This annexation will not impact MDFR service delivery and/or response time inside the Urban Development Boundary.

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.

5. 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.

6. 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 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. A list of new Cable Franchise Certificates that may affect Miami-Dade County's Rights-of-Way can be found at <http://sunbiz.org/scripts/cable.exe>.

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.

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.

7. 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 needs that may arise?

The entire proposed annexation area is located within the federally designated, 100-year floodplain. This area will flood under sustained rains and property owners within it are required to obtain flood insurance. The proposed annexation area is within County designated Hurricane Evacuation Zone C, residents of the area are required to evacuate dependent upon the hurricane's track and projected storm surge.

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

The Florida City Area G Annexation includes three separate sections: G-1, G-2, and G-3. Service is provided by Miami-Dade Transit with Route 344 along SW 187 Avenue, the western boundary of area "G-1", with a stop at SW 187 Avenue and SW 352 Street. This route provides access to the Florida City Hall located at 404 W. Palm Drive .

9. 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 Florida City Elementary, Campbell Drive Middle, and Homestead Senior High. As expected, future development of the proposed annexation area will impact these schools.

The following analysis addresses the factors required for consideration by the Board of County Commissioners and the Planning Advisory Board pursuant to Chapter 20-7 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 or historically recognized traditional community).

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

- 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 not 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 not an enclave nor would it create one.

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

As shown in the attached map, the proposed annexation is divided into three small areas known as G1, G2 and G3. G1 is bounded on the north by SW 358 Street; on the south by SW 360 Street; on the west by SW 185 Avenue; and on the east by the city limits of Florida City. G2 is bounded on the north by theoretical SW 359 Street; on the south by theoretical SW 360

Street; on the west by the city limits of Florida City and on the east by SW 180 Avenue. G3 is bounded on the north by theoretical SW 352 Street, on the south and west by property lines and on the east by theoretical SW 178 Avenue.

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 \$3,333,195. At the current Florida City millage rate (7.75 mills), the ad valorem revenues attributable to the annexation area would be \$24,541. At the current UMSA millage rate (2.0416 mills), the ad valorem revenues attributable to the annexation area would be \$6,645. The expected tax increase to the area if the annexation is approved would be \$18,076.

| Existing and Projected Property Tax Cost | | |
|---|---------------|-------------------------|
| City of Florida City | | |
| FY 2007-08 | | |
| | Millage Rate | Millage x Taxable Value |
| Florida City | | |
| Municipal Millage | 7.75 | \$24,541 |
| | | |
| Unincorporated Area | | |
| UMSA Millage | 2.0416 | \$6,645 |
| | | |
| Increase | 5.7084 | \$18,076 |

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

As shown in the attached map, the entire annexation area is located inside the 2015 Urban Development Boundary (UDB) of the County's Comprehensive Development Master Plan (CDMP).

4. 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 \$3,333,195. The area generates an estimated \$8,300 in revenue. The County spends an estimated \$8,500 per year providing services to the area. Therefore, the net revenue gain to the UMSA budget is an estimated \$200 (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 \$1,200 and utility taxes of an estimated \$1,700 will be retained by the County.

5. The fiscal impact of the proposed annexation on the remaining unincorporated areas of Miami-Dade County? 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.

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

According to the Adopted 2015-2025 Land Use Plan map of the County's Comprehensive Development Master Plan (CDMP), the planned land use designations within the proposed annexation area are "Low Density Residential Communities" (2.5 to 6 dwelling units per gross acre) and "Low-Medium Density Residential Communities" (5 to 13 dwelling units per gross acre).

The low-density residential land use category is characterized by single-family housing of a variety of types including detached, cluster and townhouses while the low-medium density residential land use category is characterized by single family homes, townhouses and low-rise apartments.

In its application for annexation, the City of Florida City states that proposed land use and zoning designations will be fully consistent with the County's CDMP and future Land Use Map. Adherence to low-density and low-medium density residential parameters would be consistent with the goals, objectives, policies and Land Use Plan Map of the County's CDMP.

Development Profile of the Area

The table below reports the 2007 land use profile for the area proposed for annexation. Approximately 70 percent of the 32.8 acres in the proposed annexation area are in agricultural use while close to 29 percent is undeveloped, four percent is being utilized for industrial uses and just over one percent is being used for roadways and utilities.

**City of Florida City Annexation Area (G)
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 | 464.4 | 12.2 | 107,711.5 | 7.0 |
| Commercial & Office | 0.0 | 0.0 | 174.8 | 4.6 | 14,769.1 | 1.0 |
| Industrial | 1.3 | 4.0 | 456.6 | 12.0 | 16,717.2 | 1.1 |
| Institutional | 0.0 | 0.0 | 47.0 | 1.2 | 13,568.1 | 0.9 |
| Parks/Recreation | 0.0 | 0.0 | 145.2 | 3.8 | 789,628.2 | 51.0 |
| Transportation, Communication, Utilities | 0.4 | 1.2 | 439.8 | 11.5 | 86,666.7 | 5.6 |
| Agriculture | 23.0 | 70.1 | 595.1 | 15.6 | 68,463.0 | 4.4 |
| Undeveloped | 9.4 | 28.7 | 1,391.7 | 36.4 | 133,774.1 | 8.6 |
| Inland Waters | 0.0 | 0.0 | 103.8 | 2.7 | 317,413.4 | 20.5 |
| Total: | 32.8 | 100.0 | 3818.4 | 100.0 | 1,548,711.3 | 100.0 |

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

Demographic Profile of the Area

According to the Census 2000 population files, there are no residents within the proposed Florida City Area "G1, G2 and G3" annexation area.

SUMMARY OF ISSUES FOR CONSIDERATION

At the time of this report, the Department of Planning and Zoning is also reviewing an annexation proposal by the City of Florida City of an area known as parcel "D." Without knowledge of the latter, the Department would question the City's logic of parcel-by-parcel or piecemeal annexation proposals such as this.

Attachments:

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

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

Florida City Annexation Area "G"

Legend

- Florida City
- Florida City Annex "G"
- 2005 Urban Development Boundary
- Highway
- Major Road
- Street

This map was prepared by the Miami Dade County Enterprise Technology Services Department Geographic Information Systems (GIS) Division for the Office of Economic Development, Planning, and Administration and Contracting Services.

June, 2007

MapScale
0 0.5 1 Mile

MapScale
0 0.5 1 Mile

Delivering Excellence Every Day

FLORIDA CITY

G-3

G-2

G-1



Estimated Impact on UMSA Budget

ATTACHMENT B

| Based on FY 07-08 Budget | Incorporation Assumptions | |
|--|---|-------------|
| Property Tax Revenue | Allocation based on tax roll & millage | \$7,000 |
| Franchise Fees | County Retains Revenues | |
| Sales Tax | Allocation based on \$64.52 per person | \$0 |
| Utility Taxes | County Retains Revenues | |
| Communications Tax | Allocated based on tax roll/population | \$1,153 |
| Alcoholic Beverage License | Allocation based on \$0.24 per person | \$0 |
| Occupational License | Allocation based on \$1.72 per person | \$0 |
| Interest | Allocation based on 1.31% of total revenue | \$107 |
| Miscellaneous Revenues | Allocation based on \$0.45 per person | \$0 |
| Revenue to UMSA | | \$8,259 |
| Cost of Providing UMSA Services | | |
| Police Department | | \$6,677 |
| UMSA Police Budget (without specialized) | \$284,505,000 | |
| Park and Recreation Dept | Based on cost of parks | \$0 |
| Public Works | | |
| Centerline Miles | Centerline miles times cost per lane mile | \$291 |
| Planning, Team Metro and others | Direct cost times 11.2% | \$780 |
| QNIP (pay-as you-go) | Utility Taxes as a % of debt service 14.8% | \$0 |
| Policy Formulation/Internal Support | Direct cost times 11.2% | \$780 |
| Cost of Providing UMSA Services | | \$8,529 |
| Net to UMSA | | (\$270) |
| <p>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</p> <p>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.</p> | | |
| 2007 Taxable Property Rolls | | \$3,333,195 |
| 2000 Area Census Population | | 0 |
| 2006 UMSA Population | | 1,091,421 |
| 2006-07 UMSA Millage | | 2.0416 |
| 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 | | 0.05 |
| Total Calls for Service - Study Area | | 3 |
| Part 1 Crimes - Study Area | | 0 |
| Part 2 Crimes - Study Area | | 0 |
| Cost per Centerline Mile | | \$2,424 |
| Number of Centerline Miles | | 0.12 |
| Per Capita Taxable Value | | #DIV/0! |