

Memorandum



Date: December 2, 2008

Agenda Item No.

12(B)3

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 "G. Burgess", written over the printed name of the County Manager.

Subject: City of Homestead Annexation Application

Pursuant to Chapter 20-7 (B) of the Miami-Dade County Code (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 Homestead
- 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 Homestead. This recommendation is based upon new information provided by the Department of Environmental Resources Management on August 25, 2008, rectifying the previous information that the City of Homestead water distribution was inadequate to service the proposed annexation area.

Scope

The proposed City of Homestead annexation is a 39.8 acre parcel contiguous to the City. This area is bounded on the north SW 324th Street, on the south by SW 328th Street, on the west by SW 194th Avenue and on the east by SW 192nd Avenue. This annexation is located in County Commission District 8.

Fiscal Impact/Funding Source

There is no fiscal impact to Unincorporated Municipal Service Area (UMSA) should this annexation be denied. However, should the BCC approve the annexation, it will result in a net revenue gain to the UMSA budget. Based upon the revenues generated and services provided to the area as part of UMSA, a net annual budget gain of approximately \$9,500 should be realized if the annexation is approved. 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. It is estimated that the area currently generates approximately \$53 in franchise fees and \$75 in utility taxes.

Track Record/Monitor

Upon approval of the proposed annexation by the BCC, the County Attorney shall prepare an appropriate ordinance accomplishing the proposed boundary change. The Office of Strategic Business Management Incorporation and Annexation Section will negotiate any interlocal agreements, as required.

Background

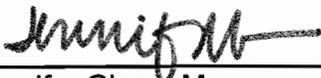
On April 16, 2007, the City of Homestead, pursuant to section 6.04 of the Miami-Dade Home Rule Charter and section 20-3 of the Code, approved Resolution 2007-04-46, requesting that the BCC approve the annexation into the municipal boundaries of the City. On June 2, 2007 the City submitted an application for the annexation to the Miami-Dade County Clerk of the Board. At the June 26, 2007 meeting the BCC accepted and forwarded the annexation application to the Office of Strategic Business Management (OSBM) for review and further processing as required by Code.

The Incorporation and Annexation Committee of the PAB held a public hearing on May 5, 2008 and recommended the BCC deny the annexation based on concerns by the Department of Environmental Resource Management (DERM) stating that the City's potable water and sanitary sewer system is at capacity and cannot provide service to the area. The PAB held a public hearing on May 5, 2008 and also recommended that the BCC deny the application.

On August 5, 2008, staff from the Office of Strategic Business Management and DERM met with City of Homestead representatives to discuss the recommendation in the staff report. As a result of the meeting, DERM has revised their recommendations as noted in the attached memorandum dated August 25, 2008, by restating that the City of Homestead water distribution system does have the capacity to service the proposed annexation area. Additionally, the annexation area is within the Miami-Dade County Department of Water and Sewer's (WASD) service area as noted in the staff report. WASD may delegate the service area to the City of Homestead through a separate interlocal agreement.

The staff report and DERM response supporting my recommendation is attached for your convenience.

Attachments



Jennifer Glazer-Moon
Director, Office of Strategic Business Management

Memorandum



Date: August 25, 2008

To: Jorge Fernandez, Coordinator
Incorporation, Annexation, and Municipal Contracting Services
Office of Strategic Business Management

From: Jose Gonzalez, P.E., Assistant Director
Environmental Resources Management

A handwritten signature in black ink, appearing to read "Jose Gonzalez", written over the printed name.

Subject: Revised Memorandum
Proposed Annexation of Area SW by the City of Homestead

This memorandum supersedes our previous one dated March 11, 2008. In response to your request of February 20, 2008 DERM offers the following comments:

Potable Water

The City of Homestead water distribution system is located on the East side of S.W. 192nd Avenue.

The City of Homestead water plant consists of two well fields, Harris Field with two wells and a 0.5 million-gallon (MG) elevated water storage tank, and the Wittkop field with 4 wells and a 0.5 MG elevated storage water tank. The operating capacity of this water treatment and distribution system depends on the interconnection of the two well fields by means of a 16-inch and 24-inch transmission piping loop.

The South Florida Water Management District (SFWMD) water use permit maximum rated daily capacity for the system is 13.39 MGD, based on an annual average (with one of the largest wells out of service) with a maximum monthly withdrawal of 464 MG (or 15.25 MGD). The yearly average water withdrawal reported is 11.67 MGD. The maximum withdrawal daily peak reported during the year was 14.95 MGD. The Department of Health (DOH) rated capacity of the plant is 16.9 MGD.

Based on the above, the City's water treatment and distribution looping system has a combined spare capacity for the proposed annexation.

Sanitary Sewer

The City of Homestead sewer collection system is on the East side of S.W. 192nd Avenue. This area east of S.W. 192nd Street is located within the basin of pump station (PS) 10-009, which discharges into PS 10-11, PS 10-15, PS 10-01, and to City of Homestead Wastewater Treatment Plant.

Miami-Dade County Stormwater Utility (SWU) Program and Fees

At the time of approval of the proposed annexation, any improved property in the proposed annexation area will be subject to the Miami-Dade County stormwater utility fee. This fee is used to administer stormwater management programs throughout the County. It is expected that these accounts would revert to Homestead when the annexation is approved.

Please also note that until the Miami-Dade County Board of County Commissioners approves the annexations, all SWU fees collected or due at that time, within the area of the annexation, will continue to be available for general County use.

If SWU accounts in the proposed annexation area are billed through Miami-Dade Water and Sewer Department (MDWASD) or directly by DERM, it will be Homestead's responsibility to coordinate with MDWASD, DERM, or another service provider to perform stormwater billing services on their behalf.

Based on SWU accounts in the proposed annexation area, Homestead must also pay its pro-rata share of the debt service on the 1999 and 2004 Stormwater Utility Revenue Bonds for the proposed annexed area. Payment to the County for the Homestead debt service on these bonds will initiate immediately upon annexation.

Currently, the proposed annexation area includes no improved property and therefore has no SWU accounts. Therefore, if the proposed area was approved for annexation, under current conditions, the SWU would lose \$0 per year in revenue and no debt service payments would be required from Homestead.

Stormwater Management Program

A review of the application finds no County owned and maintained secondary canals in or near the proposed area, and one nearby primary canal, which is under the maintenance jurisdiction of the SFWMD.

A cost-share for Federal Emergency Management Agency (FEMA) funded or other Grant funded projects may also be necessary, if such projects are under construction, have been constructed or are planned for 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 area as it currently does in Homestead.

National Flood Insurance Program (NFIP)

The NFIP is a program where the 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. Homestead would therefore need to report the new annexed area as changed incorporated boundaries to FEMA as part of its biennial report.

National Pollutant Discharge Elimination System (NPDES)

NPDES is a nationwide permit program that has an objective of controlling pollution that is inherent in stormwater runoff. NPDES started as a federal program, and has now been delegated to the State of Florida. Municipalities must apply to and receive from the state, a permit that outlines best

management programs designed to reduce the pollution in stormwater runoff. These stormwater management programs can consist of sampling programs, educational programs, street sweeping and drainage maintenance, and various other best management programs.

To satisfy requirements of Miami-Dade County's joint NPDES permit, an Interlocal Agreement was created with various municipalities and other agencies, with Miami-Dade County as the lead agency. Because sampling of stormwater runoff is required, the County performs the sampling, and all the parties to the permit cost-share the costs based on the number of outfalls that service the municipalities or agencies.

Records reveal that Homestead is a Co-Permittee in the County's joint permit and Interlocal Agreement. Therefore, any outfalls contained within the annexed areas would change the Homestead cost-share percentage contribution. There is also a permit fee based on population that Homestead pays yearly to the State of Florida for the NPDES permit. The amount of this permit fee may increase if the annexation occurs.

Transfer of Roads

Certain County roads located within the proposed annexation may need to be transferred to Homestead. 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 Homestead 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 of DERM must be consulted prior to execution of said Agreements.

Wetland Resources

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

The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600), and the SFWMD (1-800-432-2045), may be required for the proposed project. It is the applicant's responsibility to contact these agencies.

Tree Preservation

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

The applicant is required to comply with the above tree permitting requirements. However, please be advised that if the proposed annexation is approved, the Tree Program of DERM has no jurisdictional authority over tree related issues within the City of Homestead. Therefore, the applicant should contact the City of Homestead 305-224-4500 for any information relating to tree preservation requirements.

Natural Forest Community

The subject property lies near county designated Natural Forest Communities (NFC's). NFC's are upland natural areas (Pine Rockland and Hardwood Hammocks) that, meet one or more of the following criteria: the presence of endangered, threatened, rare or endemic species; low percentage of site covered by exotic plant species; high overall plant diversity; wildlife habitat values; and geological features. These NFC's will be maintained by the use of periodic ecological prescribed burning. This management technique reduces the wildfire threat and is beneficial to wildlife and the rare plant species harbored by this plant community. Such burning is generally performed once every three years. The

subject property lies within the potential smoke dispersion corridor of these pinelands. Consequently, the subject property may be affected by the periodic smoke events from the prescribed burns or unexpected wildfires.

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

I. Review and approval or disapproval of development orders.

This includes the following:

- Building Permits
- Zoning Actions
- Platting Actions (Land Subdivision)
- Building Occupancies (Residential and Nonresidential)
- Municipal Occupational Licenses

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

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

II. Operating Permits

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

III. Pollution Prevention and Educational Programs

DERM Office of Sustainable Environment and Education (OSEE) is responsible for promoting and coordinating pollution prevention programs, waste minimization programs, urban CO2 reduction and environmental education in general. The head of OSEE is Mr. Julio Calle and if you need additional information regarding these services you may contact him at (305)372-6828.

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.

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

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.

If you have any questions concerning the comments, or wish to discuss this matter further, please contact Enrique A. Cuellar at (305) 372-6764.

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

WHEREAS, the City of Homestead as petitioned for the annexation of the area generally described below:

Area: On the North: SW 324th Street;
On the South: Theoretical SW 328th Street;
On the West: Theoretical SW 194th Avenue;
On the East: SW 192nd Avenue and the City of Homestead;

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 May 5, 2008; and

WHEREAS, on May 5, 2008, the Planning Advisory Board Incorporation and Annexation Committee held an advertised public meeting, concerning this application for annexation by the City of Homestead; and

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

WHEREAS, on May 5, 2008, the Planning Advisory Board held an advertised public hearing, concerning this application by the City Homestead,

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.

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

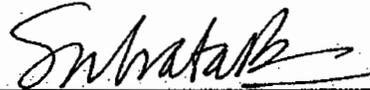
Reginald J. Clyne	Absent	Serafin Leal	No
Antonio Fraga	Absent	Felipe Llanos	Absent
Pamela Gray	Yes	Al Maloof	Absent
Horacio Carlos Huembes	Yes	William Riley	Yes
Rolando Iglesias	Yes	Wayne Rinehart	Absent
Eddy Joachin	Yes	Christi Sherouse	Yes
Daniel Kaplan	Absent	Jay Sosna	Yes

Georgina Santiago, Chair Yes

8

The Chair thereupon declared the resolution duly passed and adopted this 5th day of May 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 INCORPORATION AND ANNEXATION COMMITTEE RECOMMENDING THAT THE PLANNING ADVISORY BOARD DENY THE PROPOSED ANNEXATION TO THE CITY OF HOMESTEAD.

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

Area: On the North: SW 324th Street;
On the South: Theoretical SW 328th Street;
On the West: Theoretical SW 194th Avenue;
On the East: SW 192nd Avenue and the City of Homestead; 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 May 5, 2008; and

WHEREAS, on May 5, 2008, the Incorporation and Annexation Committee held an advertised public meeting, concerning this application for annexation by the City of Homestead,

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

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

Antonio Fraga	Absent	Al Maloof	Absent
Serafin Leal	No	Jay Sosna	Yes

Horacio Huembes, Chair Yes

The Chair thereupon declared the resolution duly passed and adopted this 5th day of May 2008.

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



Subrata Basu
Executive Secretary

Memorandum



Date: May 5, 2008

To: Chairperson and Members
Planning Advisory Board

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

Subject: Staff Report for Proposed Boundary Change to Homestead – Area SW

Background

On June 2, 2007 the City of Homestead 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 39.8 acres or 0.06 square miles bounded on the north by SW 324th Street, on the south by SW 328th Street, on the east by SW 192nd Avenue and on the west by SW 194th Avenue. This area is 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, the City of Homestead can more effectively provide police services to the proposed annexation area as their police station is located 1.8 miles from the 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 2007.

Year	Criteria	All Calls	Emergency Calls (Code 3)	Priority Calls (Code 2)	Routine Calls
2007	Total Calls	4	0	0	4

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
2007	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 Homestead is part of 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 Homestead annexation area SW is situated within the station territory of **Station 16, Homestead**, located at 325 NW 2 Street. The Station is equipped with a Rescue an Engine and permanently staffed by eleven (11) firefighters/paramedics.

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

Station 65, East Homestead, located at 1350 SE 24th Street. The Station is equipped with a Rescue, and permanently staffed by three (3) 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

In calendar year 2007 there were a total of 18 alarms within the proposed annexation area, with an average response time of 7:45 minutes. Of these, total Life Threatening calls were 3 with an average travel time of 7:09 minutes.

Miami-Dade Fire Rescue Department - Service Delivery to Annexation Area G Florida City - Calendar Years 2005-2006-2007						
	Travel Time Averages			Call Volume		
	2005	2006	2007	2005	2006	2007
Total Alarms	06:28	07:57	07:45	4	28	18
Life Threatening Emergencies	08:56	05:30	07:09	1	8	3
Non Life Threatening Emergencies	07:57	00:00	05:02	1	0	2
Other Miscellaneous	03:37	00:00	03:19	1	0	1
Other Fires	05:24	08:38	09:30	1	19	10
Structure Fire	00:00	14:22	04:45	0	1	2

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. There are no water and sewer facilities of Countywide significance in the area.

Solid Waste

Impact on Collection

The City of Homestead's annexation application specifically states the City's intent to provide residential waste collection service within the proposed annexation area. The proposed annexation area is within the Department of Solid Waste Management's (DSWM) service area, in accord with Ordinance 96-30, DSWM will provide residential waste collection as development occurs. The City of Homestead has entered into the standard twenty-year interlocal agreement, as per Ordinance 96-30, with the County for waste disposal, the County may consider delegation of residential waste collection to the City.

Impact on Disposal

The City of Homestead's annexation application specifically states the City's intent to provide residential waste collection service within the proposed annexation area. As previously mentioned, the City has an interlocal agreement with the County for solid waste disposal. Provided that DSWM determines that the cumulative impacts of this delegation and those that have taken place since February 16, 1996, do not significantly impact the department's ability to meet debt service coverage requirements or to hold down the cost of collection, the delegation will be granted. If it is determined that delegation is not appropriate at this time, the County would provide residential waste collection services as residential development occurs.

Other Comments:

The waste collection services as described in the annexation application appear to be adequate for the area. Based on the requirements of Ordinance 96-30, the proposed annexation is not expected to have any impact on the ability or DSWM to provide services to the remaining unincorporated area.

Department of Environmental Resources Management (DERM)

Potable Water:

The City of Homestead water distribution system is located on the East side of S.W. 192nd Avenue. The City reported in June 2007 that they could not account for about a 12% water loss. The City also indicated an equal ratio of "volume of water sold to customers within utility service area" and "total volume of unmetered uses".

The Homestead Drinking Water Treatment Plant has reached "DERM-rated capacity". The City water plant has a rated capacity of 14.11 Million Gallons per Day (MGD) with one of the wells off

production. Maximum daily capacity for the past twelve months as of January 2008 is 14.95 MGD, based on Monthly Operating Reports (MOR) through January 2008, or 6% over the rated capacity. The twelve months daily average was 11.51 MGD as of January 2008. The City buys water from Miami-Dade Water and Sewer Department (MDWASD) to make up the difference. The last report submitted by the City on June 14, 2007, The City bought from MDWASD during the period of January 1, 2006 to December 31, 2006 a total of 30 million gallons of water. The total plant production capacity from the wells is 16.992 MGD with all the wells in production. Maximum permitted raw water withdrawals from the South Florida Water Management District (SFWMD) is 15.2 MGD.

Sanitary Sewer

The City of Homestead sewer collection system is on the East side of S.W. 192nd Avenue. This area east of S.W. 192nd Street is located within the basin of pump station (PS) 10-009, which discharges into PS 10-11, PS 10-15, PS 10-01, and to City of Homestead Wastewater Treatment Plant. The current operating status of PS 10-009 and 10-15 is satisfactory, PS 10-11 has an initial moratorium and PS 10-01 has a conditional moratorium

The Homestead Wastewater Treatment Plant is currently at 96.83% capacity based on twelve month Discharge Monthly Monitoring Reports (DMR) data as of January 2008. The last twelve months average flow ending on January 2008 DMR's is 5.81 MGD with for an average flow design capacity of 6.00 MGD. There is no capacity; however, for an increase of an average daily flow increase of 35,000 GPD. Based on the monthly average daily flows from June through November, the plant does not have capacity for additional flows during those rainy season months.

Miami-Dade County Stormwater Utility (SWU) Program and Fees

At the time of approval of the proposed annexation, any improved property in the proposed annexation area will be subject to the Miami-Dade County Stormwater Utility (SWU) fee. This fee is used to administer stormwater management programs throughout the County. It is expected that these accounts would revert to Homestead when the annexation is approved.

Please also note that until the Miami-Dade County Board of County Commissioners approves the annexations, all SWU fees collected or due at that time, within the area of the annexation, will continue to be available for use within the Miami-Dade County Stormwater Utility service area.

If SWU accounts in the proposed annexation area are billed through MDWASD or directly by DERM, it will be Homestead's responsibility to coordinate with MDWASD, DERM, or another service provider to perform stormwater billing services on their behalf.

Currently, the proposed annexation area includes no improved property and therefore has no SWU accounts. Therefore, there would be no SWU debt service requirements should this annexation be approved.

Stormwater Management Program

A review of the application finds no County owned and maintained secondary canals in or near the proposed area, and one nearby primary canal, which is under the maintenance jurisdiction of the SFWMD.

A cost-share for Federal Emergency Management Agency (FEMA) funded or other Grant funded projects may also be necessary, if such projects are under construction, have been constructed or are planned for the proposed annexation area.

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would outline the subject roads; various road-related services, and the costs and responsibilities of Homestead 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 of DERM must be consulted prior to execution of said Agreements.

Wetland Resources

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The applicant is advised that permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600), and the SFWMD (1-800-432-2045), may be required for any proposed project. It is the applicant's responsibility to contact these agencies.

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The applicant is required to comply with the above tree permitting requirements. However, please be advised that if the proposed annexation is approved, the Tree Program of DERM has no jurisdictional authority over tree related issues within the City of Homestead. Therefore, the applicant should contact the City of Homestead 305-224-4500 for any information relating to tree preservation requirements.

Natural Forest Community

The subject property lies near County designated Natural Forest Communities (NFC's). NFC's are upland natural areas (Pine Rockland and Hardwood Hammocks) that, meet one or more of the following criteria: the presence of endangered, threatened, rare or endemic species; low percentage of site covered by exotic plant species; high overall plant diversity; wildlife habitat values; and geological features. These NFC's will be maintained by the use of periodic ecological prescribed burnings. This management technique reduces the wildfire threat and is beneficial to wildlife and the rare plant species harbored by this plant community. Such burning is generally performed once every three years. The subject property lies within the potential smoke dispersion corridor of these pinelands. Consequently, the subject property may be affected by the periodic smoke events from the prescribed burns or unexpected wildfires.

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

I. Review and approval or disapproval of development orders.

This includes the following:

- Building Permits
- Zoning Actions
- Platting Actions (Land Subdivision)
- Building Occupancies (Residential and Nonresidential)

Municipal Occupational Licenses

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

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

II. Operating Permits

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

III. Pollution Prevention and Educational Programs

DERM Office of Sustainable Environment and Education (OSEE) 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.

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.

Inasmuch as DERM's regulatory activities are enforceable under County 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.

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 City of Homestead Annexation Application Area SW. The County is proposing to keep the following corridors:

- SW 328 Street from SW 194 Avenue to SW 192 Avenue

The above mentioned corridor is 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.

Park and Recreation

There are no Miami-Dade County parks within the proposed City of Homestead annexation area

SW. 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 use in the proposed annexation area is agricultural. 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 areas of the City of Homestead and inside the UDB.

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 area will become part of the City of Homestead which participates in the State's Small Cities Program and does not participate in the County's CDBG program. It will still be eligible for any benefits derived from the inclusion in federal or state enterprise zones or targeted assistance provided by federal, state and local government agencies.

4. Impact public safety response times?

Fire and Rescue: The City of Homestead 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 (PWD) has determined that the proposed City of Homestead annexation does not introduce any barriers to municipal traffic circulation.

PWD policies dictate retention of full and half section line roadways as County-maintained facilities. Additionally, bicycle trails may be proposed within the annexation

area, which would be County bicycle facilities. Please contact Mr. David Henderson, MPO Bicycle-Pedestrian Coordinator for additional information on these bicycle facilities.

PWD will retain Traffic Engineering jurisdiction over all streets within the annexation area, with the exception of state roads.

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 located within County designated Hurricane Evacuation Zone C and 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 nearest Metrobus service to the proposed annexation area is Route 70 on SW 187 Avenue, located about 1/2 mile from SW 192 Avenue, the eastern boundary of the annexation area. Route 70 serves the South Dade Government Center, Southland Mall, and the Prime Outlets at Florida City. At this time Miami-Dade Transit has no plans to extend transit service to the annexation area.

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?

The proposed annexation area is contained within the same school district boundaries as the adjoining unincorporated area and the City of Homestead. The schools serving the proposed annexation area are West Homestead Elementary, Homestead Middle, and South Dade Senior High.

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 boundaries are logical and follow roadways. The proposed annexation area is bounded by SW 324 Street to the north, theoretical SW 328 Street to the south, theoretical SW 194 Avenue to the west and SW 192 Avenue and the City of Homestead to the east.

- 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 \$145,303. At the current City of Homestead millage rate (5.1585 mills), the ad valorem revenues attributable to the annexation area would be \$712. At the current UMSA millage rate (2.0416 mills), the ad valorem revenues attributable to the annexation area would be \$282. The expected tax increase to the area if the annexation is approved would be \$430.

Existing and Projected Property Tax Cost		
City of Homestead		
FY 2007-08		
	Millage Rate	Millage x Taxable Value
Homestead		
Municipal Millage	5.1585	\$712
Unincorporated Area		
UMSA Millage	2.0416	\$282
Increase	3.1169	\$430

- 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 UDB of the County's Comprehensive Development Master Plan (CDMP).

- 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 \$145,303. The area generates an estimated \$339 in revenue. The County spends an estimated \$9,848 per year providing services to the area. Therefore, the net revenue gain to the UMSA budget is an estimated \$9,508 (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 generated in the area. For the proposed annexation, franchise fees of an estimated \$53 and utility taxes of an estimated \$75 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 designation within the proposed annexation area is Estate Density (1 to 2.5 dwelling units per gross acre). The Estate Density land use designation is characterized by detached estates, which utilize only a small portion of the total parcel.

The City of Homestead annexation application states that it intends to adhere to the adopted County planned land use designation and existing zoning. Adherence to estate-density residential parameters would be consistent with the goals, objectives, policies and Land Use Plan map of the County's CDMP.

7. Does the proposed annexation area include areas designated as terminals on the County's Adopted Land Use Plan Map?

There are not terminals within the proposed annexation area.

Demographic Profile of the Area

According to the Census 2000 population files, there is no population within the proposed annexation area.

Development Profile of the Area

Shown in Table 1 is the 2008 land use profile for the proposed annexation area. The annexation area consists of 39.9 acres, all of which are agricultural in use.

Table 1
City of Homestead Annexation
2008 Existing Land Use

<i>Land Use</i>	Annexation Area (Acres)	Annexation Area (Percent Of Total)	City of Homestead (Area Acres)	City of Homestead (Percent of Total)	Miami-Dade County (Acres)	Miami-Dade County (Percent of Total)
Residential	0.0	0.0	2,399.5	24.7	109,030.8	7.0
Commercial & Office	0.0	0.0	629.5	6.5	14,798.8	1.0
Industrial	0.0	0.0	234.7	2.4	17,873.7	1.2
Institutional	0.0	0.0	306.3	3.2	13,775.1	0.9
Parks/Recreation	0.0	0.0	527.7	5.4	788,112.2	50.9
Transportation, Communication, Utilities	0.0	0.0	1613.2	16.6	87,128.1	5.6
Agriculture	39.9	100.0	1451.0	15.0	64,491.1	4.2
Undeveloped	0.0	0.0	1983.9	20.5	134,997.4	8.7
Inland Waters	0.0	0.0	66.5	1.4	40,370.8	2.6
Coastal Water and Ocean	0.0	0.0	554.7	5.7	318,504.9	20.6
Total:	39.9	100.0	9,700.7	100.0	1,548,711.9	100.0

Source: Miami-Dade County Department of Planning and Zoning, Research Section, January, 2008

SUMMARY OF ISSUES FOR CONSIDERATION

The Department questions the City's logic of parcel-by-parcel or piecemeal annexation proposals.

The City of Homestead stated in its application that it intends to adhere to the adopted County planned land use designation and existing zoning upon annexation; thus, if this application were to be approved, such approval should be conditioned to the City's amendment of its Comprehensive Plan and Future Land Use Map to be consistent with the County's.

Attachments:

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

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

Estimated Impact on UMSA Budget

Based on FY 07-08 Budget	Incorporation Assumptions	
Property Tax Revenue	Allocation based on tax roll & millage	\$285
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	\$50
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	\$4
Miscellaneous Revenues	Allocation based on \$0.45 per person	\$0
Revenue to UMSA		\$339
Cost of Providing UMSA Services		
Police Department		\$8,045
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	\$0
Planning, Team Metro and others	Direct cost times 11.2%	\$901
QNIP (pay-as you-go)	Utility Taxes as a % of debt service 14.8%	\$0
Policy Formulation/Internal Support	Direct cost times 11.2%	\$901
Cost of Providing UMSA Services		\$9,848
Net to UMSA		(\$9,508)
<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		\$145,303
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 2007		654,181
Part 1 Crimes - UMSA 2007		58,638
Part 2 Crimes - UMSA 2007		22,546
Patrollable Sq. Miles - Study Area		0.06
Total Calls for Service - Study Area		4
Part 1 Crimes - Study Area		0
Part 2 Crimes - Study Area		0
Cost per Centerline Mile		\$2,424
Number of Centerline Miles		0.00
Per Capita Taxable Value		N/A