MEMORANDUM

Agenda Item No. 7(I)

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

DATE: October 7, 2008

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Ordinance changing the boundaries of City of Florida City

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The accompanying ordinance was placed on the agenda by the Prime Sponsor Board of County Commissioners.

R. A. Cuevas, Jr.
County Attorney

RAC/bw

Memorandum

MIAMI-DADE COUNTY

Date: October 7, 2008

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

From: George M. Burgess
County Manager

Subject: Ordinance changing the boundaries of the City of Florida City

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The ordinance changing the boundaries of City of Florida City will have a positive impact to the Unincorporated Municipal Service Area (UMSA) of approximately $200. Additionally, the County will retain the franchise fees and utility taxes generated in the annexation area of approximately $1,700 and $1,200, respectively. This information was presented to the Board of County Commissioners on June 13, 2008, as part of the City of Florida City annexation report.

Jennifer Glazer-Moon
Director, Office of Strategic Business Management

fis06008

MEMORANDUM

(Revised)

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

DATE: October 7, 2008

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 7(I)

Please note any items checked.

	"4-Day Rule" ("3-Day Rule" for committees) applicable if raised
✓	**6 weeks required between first reading and public hearing**
✓	**4 weeks notification to municipal officials required prior to public hearing**
	Decreases revenues or increases expenditures without balancing budget
	Budget required
	Statement of fiscal impact required
	Bid waiver requiring County Manager's written recommendation
	Ordinance creating a new board requires detailed County Manager's report for public hearing
	Housekeeping item (no policy decision required)
	No committee review

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 7(I)

10-7-08

ORDINANCE NO. _____

ORDINANCE CHANGING THE BOUNDARIES OF THE CITY OF FLORIDA CITY, FLORIDA, AND AMENDING THE CHARTER OF SUCH MUNICIPALITY BY PROVIDING FOR THE ANNEXATION OF CERTAIN LANDS, UNDER AND PURSUANT TO PROCEEDINGS PRESCRIBED BY SECTION 6.04(B) OF THE HOME RULE CHARTER; PROVIDING FOR RESERVATION TO THE COUNTY OF ELECTRIC FRANCHISE AND UTILITY TAX REVENUES; PROVIDING RETENTION OF GARBAGE AND REFUSE COLLECTION AND DISPOSAL; PROVIDING INTERDEPENDENCY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. The municipal boundaries of the City of Florida City are hereby changed, extended and enlarged, and the charter of such municipality is hereby amended by the annexation to the City of Florida City of the following property:

CITY OF FLORIDA CITY
COMBINED LEGAL DESCRIPTION
ANNEXATION AREAS G-1, G-2 AND G-3

The East one-half of the Southwest one-quarter of the Southwest one-quarter of Section 25, Township 57 South, Range 38 East, Miami-Dade County, Florida; being more particularly described as follows:
BEGIN at the Northeast corner of the Southwest one-quarter of the Southwest one quarter of said Section 25, also being the intersection of the centerline of S.W. 356th Street (S.W. 11th Street) and the East line of the Southwest one-quarter of the Southwest one-quarter of said Section 25; thence Southerly along said East line of the Southwest one-quarter of the Southwest one-quarter of Section 25 to the intersection with the South line of the Southwest one-quarter of said Section 25, also being the centerline of S.W. 360th Street (Lucille Drive); thence Westerly along said South line of the Southwest one quarter of Section 25, also being the centerline of S.W. 360th Street (Lucille Drive), to the intersection with the West line of the East one-half of the Southwest

one-quarter of the Southwest one-quarter of said Section 25; thence Northerly along said West line of the East one-half of the Southwest one-quarter of the Southwest one-quarter of Section 25 to the North line of the Southwest one-quarter of the Southwest one-quarter of said Section 25, also being the centerline of S.W. 356th Street (S.W. 11th Street); thence Easterly along the said North line of the Southwest one-quarter of the Southwest one quarter of Section 25, also being the centerline of S.W. 356th Street (S.W. 11th Street), to the POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING:

A portion of the Southwest one-quarter of the Southwest one-quarter of the Southeast one-quarter of Section 25, Township 57 South, Range 38 East, also being all of Blocks 8 and 9, CITY OF FLORIDA CITY REALTY COMPANY'S SUBDIVISION, according to the Plat thereof, recorded in Plat Book 14, Page 50 of the Public Records of Miami-Dade County, Florida; together with the right-of-way of 24th Street lying between said Blocks 8 and 9, and that portion of the right-of-way of S.W. 180th Avenue (S.W. 5th Avenue) lying adjacent to said Blocks 8 and 9 in Southwest one-quarter of the Southwest one-quarter of the Southeast one-quarter said Section 25; being more particularly described as follows:

BEGIN at the Southwest corner of the Southeast one-quarter of said Section 25, also being the intersection of the centerlines of S.W. 360th Street (Lucille Drive) and the Westerly line of the said Southeast one-quarter of Section 25, thence Northerly along said West line of the Southeast one-quarter of Section 25 to the intersection with the centerline of S.W. 359th Street (23rd Street); thence Easterly along the centerline of S.W. 359th Street (23rd Street) to the intersection with the East line of the Southwest one quarter of the Southwest one-quarter of the Southeast one-quarter of said Section 25; thence Southerly along said East line of the Southwest one-quarter of the Southwest one quarter of the Southeast one-quarter of Section 25 (S.W. 280th Avenue / S.W. 5 Avenue) to the intersection with the South line of the Southeast one-quarter of said Section 25; thence Westerly along said South line of the Southeast one-quarter of Section 25, also being the centerline of S.W. 360th Street (Lucille Drive), to the POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING:

The East one-half of the Northwest one-quarter of the Northeast ¼ of the Southeast one quarter of Section 25, Township 57, Range 38 East, Miami-Dade County, Florida; being more particularly described as follows:

BEGIN at the intersection of the Northerly line of the Southeast one-quarter of said Section 25, also being the centerline of S.W. 352nd Street (S.W. 7th Street) and the East line of the Northwest one-quarter of the Northeast one-quarter of the Southeast one quarter of said Section 25; thence Southerly along said East line of the Northwest one quarter of the Northeast one-quarter of the Southeast one-quarter of Section 25 to the Southeast corner of the Northwest one-quarter of the Northeast one-quarter of the Southeast one-quarter of said Section 25; thence Westerly along the South line of the Northwest one-quarter of the Northeast one-quarter of the Southeast one-quarter of said Section 25 to the Southwest corner of the East one-half of the Northwest one-quarter of the Northeast one-quarter of the Southeast one-quarter of said Section 25; thence Northerly along the West line of the East one-half of the Northwest one-quarter of the Northeast one-quarter of the Southeast one-quarter of said Section 25 to the intersection with the North line of the Southeast one-quarter of said Section 25, also being the centerline of S.W. 352nd Street (S.W. 7th Street); thence Easterly along said North line of the Southeast one-quarter of Section 25, also being the centerline of S.W. 352nd Street (S.W. 7th Street), to the POINT OF BEGINNING.

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encompassing an area described by Resolution No. 05-40, passed and adopted by the Commission of the City of Florida City, which resolution is attached hereto as Attachment A and made a part hereof by reference. A map depicting the annexed area is attached hereto as Attachment B and made a part hereof by reference. In the event of any inconsistency between the boundaries of the annexation area as described by the legal description and the map identified as Attachment B, the boundaries of the annexation area as described by the legal description shall prevail.

Section 2. Pursuant to Sections 20-8.1 and 20-8.2 of the Code of Miami-Dade County, this ordinance shall be effective only upon the condition and with the reservation that the County shall continue to collect and reserve all electric franchise revenues accruing within the annexed area during the full term of the County franchise, and the County shall forever continue to collect and receive all utility tax revenues accruing within the annexed area in the same manner as though the annexed area remained a part of the unincorporated areas of the County.

Section 3. Pursuant to Section 20-8.4, Code of Miami-Dade County, this Ordinance shall be effective only upon the condition and with the reservation that the County shall forever continue to collect and dispose of all residential waste within the annexed area in the same manner as though such annexed areas remained part of the unincorporated areas of the County, unless the authority to collect such waste is delegated by the County to the governing body of the municipality through a twenty (20) year interlocal agreement which provides for collection services, and a twenty (20) year interlocal agreement which provides for disposal services in substantially the form approved by Resolution No. R-1198-95.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. The provisions of this Ordinance are interdependent upon one another, and the entire ordinance shall be deemed invalid if any of its provisions are declared invalid or unconstitutional. If any of the sections of this ordinance are found or adjudged to be illegal, void or of no effect, the entire ordinance shall be null and void and of no force or effect.

Section 7. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Craig H. Coller

Prime Sponsor: Board of County Commissioners

EXHIBIT A

RESOLUTION NO. 05-40

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FLORIDA CITY REQUESTING THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY TO EFFECT BY ORDINANCE ANNEXATION OF THE SUBJECT PROPERTIES (AREAS "G1, G2 and G3") INTO THE JURISDICTION OF THE CITY OF FLORIDA CITY

WHEREAS, Section 5.04 of the Charter of Metropolitan Miami–Dade County, Florida, empowers the Board of County Commissioners of Miami–Dade County, Florida, to effect annexation on request of the governing body of a municipality; and

WHEREAS, the governing body of the City of Florida City consists of the City Commission; and

WHEREAS, the subject Annexation Areas "G1, G2 and G3" are located generally west of South Krome Avenue and U. S. Highway 1, and south of SW 352nd Street;

WHEREAS, the City of Florida City has prepared an annexation report containing the information and justification required by Chapter 20 of the Miami- Dade County Code;

WHEREAS, the proposed Annexation Areas "G1, G2 and G3" are adjacent to the City and can be more effectively served by Florida City services and facilities; and

WHEREAS, the City Commission of the City of Florida City is making this request in order to provide for its future city growth needs in a prudent and orderly fashion;

THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSIONERS OF THE CITY OF FLORIDA CITY, FLORIDA:

That the City of Florida City hereby requests the Board of County Commissioners of Miami–Dade County, Florida, pursuant to Section 5.04 of the Charter of Metropolitan Miami–Dade County and Chapter 20 of the Miami-Dade County Code of Ordinances, to effect annexation of the properties designated as Areas "G1, G2 and G3" as legally described in Exhibit A attached hereto and made a part hereof. In addition, that formal application requesting this annexation be made to Miami-Dade County as soon as possible utilizing the annexation report prepared by City staff.

EXHIBIT A

PASSED AND ADOPTED by the Mayor and City Commissioners of the City of Florida City, Florida, this 11th day of October, 2005.

OTIS T. WALLACE, MAYOR

ATTEST:

JENNIFER A. EVELYN, CITY CLERK

Approved as to form and legal sufficiency:

LLOYD S. MARKS, City Attorney

Offered by: Mayor

Motion to adopt by Comm. Berry **seconded by** Comm. Shiver.

FINAL VOTE AT ADOPTION

Mayor Otis T. Wallace	Yes
Vice Mayor Juanita S. Smith	Yes
Commissioner Tommy Dorsett	Absent
Commissioner R.S. Shiver	Yes
Commissioner Eugene D. Berry	Yes

[redacted] City Clerk

[redacted] 13th [redacted]

EXHIBIT A

Florida City's Annexation Areas "G1, G2 and G3"

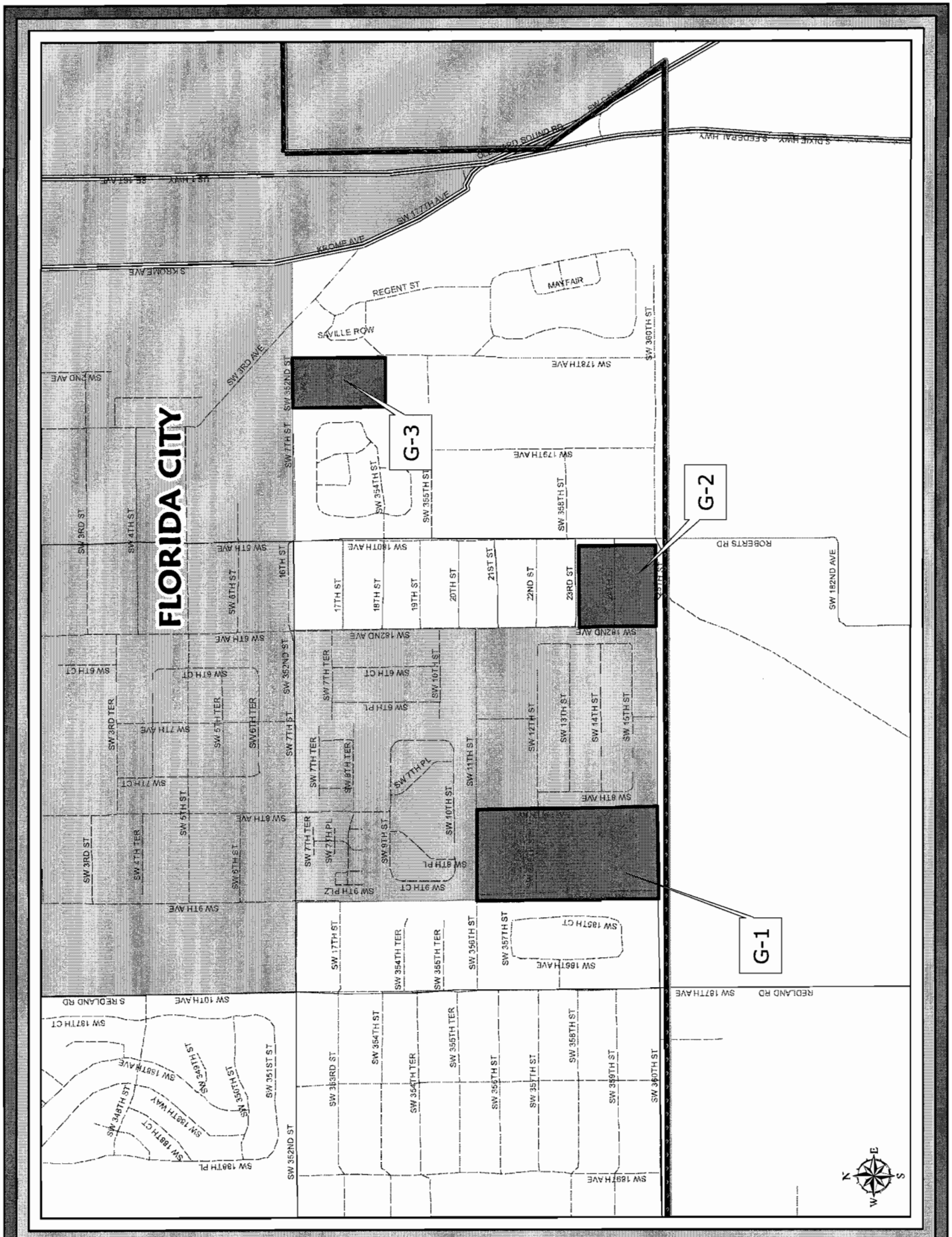
Legal Descriptions

Area "G1": The SE ¼ of the SW ¼ of the SW ¼ less the South 30 feet for Road Right-of-way, of Section 25, Township 57 South, Range 38 East, of the public records of Miami-Dade County, Florida; and the NE ¼ of the SW ¼ of the SW 1/4, of Section 25, Township 57 South, Range 38 East, of the public records of Miami-Dade County Florida; and;

Area "G2": Lots 1 thru 50 of Blk 8, Lots 1 thru 50 of Blk 9, of the Florida City Realty Company's Subdivision, according to the plat thereof as recorded in Plat Book No. 14, at Page 50, of the public records of Miami-Dade County, Florida;
and

Area "G3": East ½ of the NW 1/4 of the NE 1/4 of the SE 1/4 of Section 25, Township 57 South, Range 38 East, of the public records of Miami-Dade County, Florida, said lands situated lying and being in the City of Miami-Dade County;

EXHIBIT B


FLORIDA CITY
G-1
G-2
G-3
KROME AVE
S KROME AVE
SW 177TH AVE
US 1 HWY
S DIXIE HWY
S FEDERAL HWY
REGENT ST
MAYFAIR
SAVILLE ROW
SW 178TH AVE
SW 179TH AVE
SW 180TH AVE
SW 182ND AVE
SW 186TH AVE
SW 187TH AVE
SW 189TH AVE
SW 360TH ST
SW 358TH ST
SW 355TH ST
SW 354TH ST
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SW 3RD AVE
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SW 188TH CT
SW 188TH PL
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REDLAND RD
ROBERTS RD
SW 182ND AVE
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