MEMORANDUM

Agenda Item No.8(G)(3)

TO:	Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners	**DATE:**	November 8, 2012
FROM:	R. A. Cuevas, Jr. County Attorney	**SUBJECT:**	Resolution relating to annexation request of the City of North Miami; providing that action be taken pursuant to Section 20-7(b) of the Code

This item was amended from the original version as stated on the County Mayor's memorandum.

The accompanying resolution was prepared by the Management and Budget Department and placed on the agenda at the request of Prime Sponsor Commissioner Jean Monestime.

R. A. Cuevas, Jr.
County Attorney

RAC/jls

Memorandum

MIAMI-DADE COUNTY

Date: November 8, 2012

To: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: City of North Miami Annexation Application

This item was amended at the October 17, 2012 Infrastructure and Land Use Committee meeting to recommendation that the Board of County Commissioners approve the annexation. The resolution has also been amended accordingly.

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

- Deny the requested boundary change as presented by the City of North Miami (City)
- Direct the County Attorney to prepare an appropriate ordinance accomplishing the proposed boundary change; or
- Defer such requested boundary change for further consideration at a subsequent meeting.

Recommendation

It is recommended that the Board, pursuant to the Miami-Dade County Code Chapter 20, approve the boundary change requested by the City. The annexation area being requested is currently an enclave, where approximately 80 percent of its boundaries are surrounded by the City.

Scope

The proposed annexation area is approximately 41 acres or 0.06 square miles of the Unincorporated Municipal Service Area (UMSA) generally bounded on the south by NE 131st Street, on the east by NE 4th Avenue, on the west by the Biscayne Canal, and on the north by NE 135th Street. The annexation area is an enclave primarily surrounded by the City.

Fiscal Impact/Funding Source

Attachment B to the attached staff report is the "Impact to the Unincorporated Area". The annexation area's taxable value is $12.3 million.

At the FY 2011-12 City millage rate of 8.1955 mills, the ad valorem revenues attributable to the annexation area would be $95,955. At the FY 2011-12 UMSA millage rate of 2.0083 mills, the ad valorem revenues attributable to the annexation area would be $23,514. The expected tax increase to the entire annexation area would be $72,441 given the higher City millage rate, and the average homeowner would pay an additional $452 in property taxes if this annexation is approved.

If the annexation is approved, pursuant to Section 20-8.1 and 20-8.2 of the County Code, the County would retain all franchise fees and utility tax revenues of the area. For the proposed annexation, an estimated $21,894 of franchise fees and $26,700 of utility taxes will be retained by the County.

Track Record/Monitor

If the annexation is approved, the Office of Management and Budget will monitor the interlocal agreement governing the annexation area.

Background

On December 14, 2011, the City submitted a boundary change application to the Miami-Dade County Clerk of the Board. The application was referred to and accepted by the Board at the January 24, 2012 Board meeting and was forwarded to the Office of Management and Budget for review and further processing, as required by the Code.

1A

The Incorporation and Annexation Committee of the Planning Advisory Board and the Planning Advisory Board held a public hearing on August 20, 2012, and recommended the Board approve the annexation.

It is important to note that the annexation area has fewer than 250 resident electors and less than 50 percent is developed as residential. Should the Board approve the annexation, a vote of the electors in the annexation area will not be required.

The staff report, as reviewed by the Planning Advisory Board and the annexation application, is attached for the Board's reference.

Attachments

Edward Marquez
Deputy Mayor

Mayor14012

MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: November 8, 2012

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

SUBJECT: Agenda Item No. 8(G)(3)

Please note any items checked.

_____ **"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**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous_____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(G)(3)
11-8-12

RESOLUTION NO. _____

RESOLUTION RELATING TO ANNEXATION REQUEST OF THE CITY OF NORTH MIAMI; PROVIDING THAT ACTION BE TAKEN PURSUANT TO SECTION 20-7(B) OF THE CODE OF MIAMI-DADE COUNTY TO DIRECT THE COUNTY ATTORNEY TO PREPARE THE APPROPRIATE ORDINANCE TO EFFECTUATE THE ANNEXATION REQUEST

WHEREAS, on December 14, 2011, the City of North Miami submitted an annexation request to Miami-Dade County; and

WHEREAS, the Clerk of the Board placed the annexation request on the Board of County Commissioner's (Board's) agenda on January 24, 2012; and

WHEREAS, the Board referred the matter to the Planning Advisory Board (PAB) for its review and recommendation; and

WHEREAS, the PAB after reviewing the required staff report and after a public hearing adopted a resolution providing a recommendation on the City of North Miami's annexation request attached hereto and incorporated herein by reference as Exhibit 1; and

WHEREAS, County staff has prepared a staff report attached hereto and incorporated herein by reference as Exhibit 2; and

WHEREAS, the County Mayor has prepared his recommendation on the City of North Miami's annexation request which is attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to Section 20-7(B) the Board after a public hearing [[~~either~~]][1] directs that the County Attorney prepare the appropriate annexation request [[~~or the Board may deny the request or defer the request~~]],

[1] Committee amendments are indicated as follows: words stricken through and/or [[double bracketed]] shall be deleted, words underscored and/or >>double arrowed<< constitute the amendment proposed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are incorporated in this resolution.

Section 2. The Board of County Commissioners hereby [[~~takes the following action on the annexation request of the City of North Miami:~~]] >>directs the County Attorney's Office to prepare the appropriate ordinance to effectuate the boundary change by the City of North Miami.<<

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman
Audrey M. Edmonson, Vice Chairwoman

Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 8th day of November, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. CMC

Craig H. Coller

EXHIBIT 1

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

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

Boundaries: On the North: NE 135th Street;
On the South: NE 131st Street;
On the East: NE 4th Avenue;
On the West: Biscayne Canal; and

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

WHEREAS, the Planning Advisory Board's Incorporation and Annexation Committee reviewed staff's report dated August 20, 2012; and

WHEREAS, on August 20, 2012, the Planning Advisory Board's Incorporation and Annexation Committee held an advertised public meeting, concerning this application for annexation by the City of North Miami; and

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

WHEREAS, on August 20, 2012, the Planning Advisory Board held an advertised public hearing, concerning this application by the City of North Miami;

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 by the City of North Miami.

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

Carla M. Asencio-Savola	No	Daniel Kaplan	Absent
Aida G. Bao-Garciga	Yes	Serafin Leal	Yes
Jose Bared	Yes	Raymond Marin	Yes
Reginald J. Clyne	Yes	Robert Meador	Yes
Peter DiPace	Absent	Kimberly Ogren	Absent
Horacio Carlos Huembes	Absent	William Riley	Yes
Rolando Iglesias	Yes	Georgina Santiago	Absent
Joseph James	Yes		

Wayne Rinehart, Chair Yes

The Chair thereupon declared the resolution duly passed and adopted this 20th day of August 2012.

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

Jack Osterholt - Director
Executive Secretary

EXHIBIT 2

Memorandum

Date: August 20, 2012

To: Chairperson and Members
Planning Advisory Board

From: Jorge M. Fernandez, Jr.
Program Coordinator, Office of Management and Budget

Subject: Staff Report for Proposed Boundary Change to North Miami

Background

On December 14, 2011, the City of North Miami 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 (Board) at the January 24, 2012 meeting and was forwarded to the Office of Management and Budget (Budget) for review and further processing, as required by the Miami-Dade County Code (Code).

Analysis

The proposed annexation area is approximately 41 acres or 0.06 square miles bounded on the north by NE 135th Street, on the south by NE 131st Street, on the east by the Biscayne Canal and on the west by NE 4th Avenue. The annexation consists of an enclave, defined as an area surrounded by a municipality on at least 80 percent of its boundaries, within the City of North Miami.

Pursuant to Section 20-6 of the Code, Budget submits this report for your review and recommendation.

Police

According to the application, North Miami will provide police services to the annexation area at an improved level of service. The North Miami police headquarters is reported to be located within one (1) mile of the proposed annexation area, while the closest Miami-Dade Police Department station is located within six miles.

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 2009, 2010 and 2011.

Year	Criteria	All Calls
2009	Total Calls	460
2010	Total Calls	484
2011	Total Calls	546

Year	Part I Crimes	Part II Crimes	Total
2009	53	22	75
2010	54	23	77
2011	52	20	72

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 North Miami 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 North Miami annexation is situated within the station territory of Station 19, located at 650 NW 131st Street in North Miami, two miles from the annexation area. The Station is equipped with an advanced life support aerial and a rescue, totaling seven (7) firefighters/paramedics 24 hours a day seven days a week.

Planned Station:
In an effort to minimize the impact to existing service and maintain adequate travel time in the City of North Miami, the Miami-Dade Fire Department (MDFR) is exploring the possibility of constructing a fire station in the vicinity of NE 6th Avenue and NE 138th Street.

Service Delivery
The proposed annexation will not impact the Miami-Dade Fire Rescue Department service delivery and/or response time. Currently, the area is served as part of the unincorporated area, if the annexation is approved fire protection and emergency medical services will continue to be provided by Miami-Dade County and will continue to be serviced by the same station and resources within the Fire District in an efficient and effective manner.

Miami-Dade Fire Rescue Department - Service Delivery to Annexation Area H
Florida City - Calendar Years 2009, 2010, 2011

	Travel Time Averages			Call Volume		
	2009	2010	2011	2009	2010	2011
Life Threatening Emergencies	04:46	04:59	05:23	170	196	204
Structure Fires	02:52	03:40	03:55	3	6	8

If the annexation is approved, the City of North Miami through an interlocal agreement with the County shall agree that the annexation area remain within the Miami-Dade Fire Rescue District in perpetuity.

Water and Sewer

The water and sewer service within the proposed annexation area is provided by the City of North Miami. Future water and sewer service within the annexation area will also be provided by the City. The annexation will have no impact on the Water and Sewer Department's ability to provide services to the remaining unincorporated area.

Public Works and Waste Management

Impact on Collection
Residential portions of the annexation area are currently served by Miami-Dade County for garbage collection. The Delegation of Authority Agreement would place the responsibility for garbage collection with the City. The City currently has a long term disposal agreement in place with the County which is scheduled to expire in 2039. As a result, garbage generated by residents in the proposed annexation Area 3 will be disposed of in County facilities.

Impact on Disposal
The garbage and refuse collected in the City is hauled to the South Miami-Dade County landfill, which is owned and operated by the County, under an agreement between Waste Management Inc. and the County.

Recycling
The City of North Miami provides recycling services to areas within the City limits. If annexed, the City states "the subject areas would also enjoy programs like the recycle bank which provides curbside recycling pick up for all residential households.

Other Comments:
The annexation request is not expected to have any impacts on the ability of the Public Works and Waste Management Department to provide services to the remaining unincorporated area in the vicinity. The City maintains an interlocal agreement for the disposal of waste, per County Code Sections 20-8.4 and 15-13. The Department has no objections to the proposed annexation.

Annexation Area Roads
There are approximately 2.1 lane miles in the North Miami annexation area. Approximately 1.3 miles will be transferred to North Miami. The County is proposing to keep the following road (approximately 0.8 lane miles):

-Memorial Highway from NE 131 Street to NE 135 Street

Department of Permitting, Environment and Regulatory Affairs (PERA)

A description of the services provided by this department, information relating to the Code and assessment of environmental issues with the proposed annexation are included below. Services provided by this department in the proposed annexation area include but are not limited to:

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

The department 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

Operating Permits
Section 24-18 of the Code authorizes this department to require and issue 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.

Pollution Prevention and Educational Programs
The Office of Environmental Education and Communication (EECO) is responsible for promoting and coordinating pollution prevention programs, waste minimization programs, urban CO2 reduction and environmental education in general. You may contact this office at 305-372-6784 for additional information regarding these services.

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.

The department's regulatory activities are enforceable under County Code in both incorporated and unincorporated areas. This department currently provides the services listed above to the subject area. The annexation of the parcels in question will not affect the ability to provide adequate levels of service to the areas being annexed or to the areas adjacent to the parcels being annexed.

The following information is based on City of North Miami Annexation Application Area "H" prepared by the City of North Miami dated December 2011.

Water Supply and Distribution
The area proposed for annexation is located within the City of North Miami franchised service area.
Potable water serves the area as follows:
* 6-inch main along Memorial Highway
* 12-inch main along Memorial Highway
* 2-inch main partially along the southern portion of N. E. 3rd
* 6-inch main along N. E. 3 Avenue
* 2-inch main along N. E. 3 Court
* 2-inch main partially along a portion of N. E. 4 Court
* 6-inch main along N. E. 131 Avenue
* 12-inch main along N. E. 131 Street
* 16-inch main along N. E. 131 Street

The source of water for this area is the City of North Miami Winston Water Treatment Plant, which provides approximately 65% of the water; the remainder is provided by the Hialeah-Preston Water Treatment Plant, which is owned and operated by the Miami-Dade Water and Sewer Department. Furthermore, at this time the plants have sufficient capacity to provide current water demand. Water produced by these plants meet the required Drinking Water Standards.

Wastewater Disposal

The area proposed for annexation is located within the City of North Miami sanitary sewer franchised service area. The area proposed to be annexed is only partially served by sanitary sewers with some of the properties therein served by septic tanks. Sanitary sewers in the area are as follows:

- 8-inch gravity main along a portion of N. E. 4th Avenue, from N. E. 134th Street to N. E. 133rd
- 8-inch gravity main along Memorial Hwy., from N. E. 134 Street to N.E. 131 Street
- 8-inch gravity main along N. E. 131 Street, from Memorial Hwy., to N. E. 4 Avenue
- 20-inch force main at the intersection of Memorial Hwy., and N. E. 131 Avenue
- 12-inch force main N. E. 131 Street, from Memorial Hwy., to N. E. 4 Avenue

The sewage flows generated in the area proposed to be annexed are directed to pump station 06- Bellows, which is owned and operated by the City of North Miami, then the flows are directed to pump station 30-0346, which is owned and operated by the MDWASD, then the flows are directed to the North District Wastewater Treatment Plant, also owned and operated by MDWASD. The pump stations serving the area to be annexed are operating within the mandated criteria set forth in the First Partial Consent Decree. At this time the North District Wastewater Treatment Plant does have sufficient capacity to treat current discharge.

Stormwater Utility Program and Fees

At the time of approval of the proposed annexation, all improved properties in the proposed annexation area will be paying a stormwater utility fee to the County. This fee is used to administer stormwater management programs throughout the Unincorporated Municipal Service Area (UMSA). It is expected that these stormwater accounts would immediately become part of the North Miami service area when the annexation is formally approved. The County will discontinue its billing of these accounts for any new fees.

North Miami must also pay its pro-rata share of the debt service on the 1999 and 2004 Stormwater Utility Revenue Bonds for the proposed annexation area. Payment to the County for the North Miami debt service on these bonds will initiate immediately upon annexation. Actual costs for the above will be determined at the time of annexation and provided to the Incorporation and Annexation Division of the Office of Management and Budget for inclusion into the annexation agreement with North Miami.

Drainage Repair and Maintenance

A review of the County's Water Control Plan reveals secondary canal(s), ditches, and drainage structures that provide a direct drainage service to the proposed annexation area. Therefore, costs for maintenance of these features that provide drainage services in the area may be included in the Stormwater Management Interlocal Agreement between North Miami and the County Stormwater Utility.

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

PERA has delegated authority to issue permits for the South Florida Water Management District, through issuance of the Environmental Resources Permit (ERP). Jurisdiction to require an ERP is countywide, and is dependent upon the size of the development. 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 exist in the annexed area as it currently does in North Miami.

National Flood Insurance Program (NFIP)
NFIP is a program wherein FEMA agrees to subsidize flood insurance policies for residents of a community, if the community agrees to enforce minimum flood protection standards.

In 1993, FEMA mandated that all incorporated areas in Miami-Dade County regulate their own floodplain management ordinance and conduct separate programs. Since North Miami is a NFIP community (Community No. 120641), it must report to FEMA, as part of its FEMA Biennial Report, that the new annexed area has changed North Miami's municipal boundaries.

Stormwater Management Master Plan
Miami-Dade County is undertaking a comprehensive effort to map the entire unincorporated area of the County to assess its drainage needs. The County is divided into drainage basins, which are then modeled to determine what drainage is needed for each area now and in the future. By planning for future drainage needs, the County can ensure that the level of flood protection service provided to residents is maintained.

Although the County cannot map and propose drainage projects in incorporated areas, County roads lie within incorporated boundaries. In these areas, the County will model the basins where these roads exist, using the best available data provided by the municipalities. Therefore, the quality of the modeling for these County roads may be limited, depending on the information provided by the municipalities. County engineers will request from the North Miami staff any data that would assist in modeling these areas. Cooperation between the North Miami and the County to share this data is critical. The data and models created have other uses besides the County's master plan, such as the periodic updates of the Flood Insurance Rate Maps that benefit the North Miami as well as County residents.

National Pollutant Discharge Elimination System (NPDES)
NEDES 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.
Miami-Dade County's NPDES permit is a joint permit with 33 co-permittees (including municipalities) with the 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 monitoring costs.

A review of permit records reveals that the North Miami is currently a co-permittee in the County's joint permit. Therefore, the presence of any outfalls within the annexed area would change the North Miami cost-share percentage contribution. There is also a permit fee that North Miami pays annually to the State of Florida for the NPDES permit. The amount of this permit fee may increase if the annexation is approved.

Additionally, as part of the new permit, EPA requires that all activities performed on behalf of the City, by the County, must be included in an interlocal agreement.

Transfer of Roads
Certain County roads located within the proposed annexation area may need to be transferred to North Miami. This can be accomplished through an Interlocal Agreement. This Agreement would outline the subject roads, various road-related services, and the responsibilities of North Miami and the County for these services. Because County Stormwater Utility funds are used to maintain drainage systems in the County rights-of-way and roads, during preparation of the Agreement, the Stormwater Management Division must be consulted for its comments and approval.

Pollution Control
There are records of current petroleum contamination assessment/remediation issues within the area proposed for annexation, as follows:

1. J. & L.C. Auto Service, Inc., Amoco #60571, 13490 Memorial Hwy, UT -833/F-5931, is awaiting further assessment.
2. Chevron #47658, 13475 NE 2 Ct., UT-2588/F-8665, is in a state funded program awaiting allocation of funds for cleanup.

Additionally, the annexation area is just east (0.16 miles) of the 2011 USGS 1,000 ppm isochlor line, which approximates the inland extent of saltwater intrusion at the base of the aquifer.

Tree Preservation
The proposed annexation area will be located within the jurisdictional boundaries of the City of North Miami. The Tree Permitting Program has no jurisdictional authority over tree-related issues within the City. Therefore, issues relating to tree preservation requirements would be managed by the City of North Miami.

Air Quality
As depicted on the Adopted 2015 and 2025 Land Use Plan for Miami-Dade County, the area subject to this annexation application has the following designations within its boundaries. Northwest section: Business and Office, Midwest section: Low-Medium Density (LMDR) 6-13 DU/AC, Southwest section: Medium Density (MDR) 13-25 DU/AC, and Eastern section: Low Density (LDR) 2.5-6 DU/AC.

Applications requesting to change current Land Use Designations may require a traffic study to determine level of impact on local traffic conditions like intersections and parking areas. According to the Florida Department of Environmental Protection (FDEP) all Level of Service (LOS) "E" or "F" intersections impacted by 5% or more projected traffic and all surface parking areas of 1,500 vehicle trips per hour, or parking garages of 750 vehicle trips per hour, are required to be considered for air quality modeling. After traffic is found sufficient, an air quality methodology meeting is to be held with FERA and the FDEP to determine which intersections and parking facilities need to be modeled, as well as the analysis parameters.

In addition, for any project involving demolition, removal and/or renovation of any existing structure(s) and/or underground utilities, an asbestos survey from a Florida-licensed asbestos

consultant will be required prior to any construction activities. If the results from the asbestos survey indicate the presence of friable asbestos materials in amounts exceeding those prescribed by applicable federal, state and local environmental regulatory criteria, then those materials must be removed/abated by a Florida-licensed asbestos abatement contractor, pursuant to all applicable federal, state and local environmental regulatory requirements. To those effects, a NOTICE OF ASBESTOS RENOVATION or DEMOLITION form, along with the asbestos survey, must be filed with the department's Air Quality Management Division for both the abatement/renovation work and the demolition activity, at least ten (10) working days prior to starting of any and all field work. Existing standard operating procedures, as well as applicable federal, state and local regulatory criteria, must be followed and implemented to minimize any potential release of adverse emissions, especially during project construction activities.

Water Control Section
Design ground water level (October Water Level) for this area ranges between +2.0 and 3.0 feet N.G.V.D and the County Flood Criteria for the subject area is +5.0 feet N.G.V.D.

An enclosed canal right of way is located within the proposed unincorporated area. Any connection to the enclosed canal will require a Class II Permit from PERA prior to the City issuing building permits.

For all new developments within the new proposed limits of the City of North Miami, storm water drainage systems may be required, to reduce potential flooding and to improve the water quality of the storm water runoff. PERA has the jurisdiction to issue a Standard Permits countywide, which depends on the two acres of imperviousness of the development. Any proposed drainage in a contaminated site shall also require PERA review and approval prior to the City issuing building permits.

Parks, Recreation and Open Spaces

There are no Miami-Dade County parks within the proposed North Miami annexation area. The annexation has no impact on the Parks, Recreation and Open Spaces 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 is entirely located inside the Golden Glades Census Designated Place. If the annexation is approved, it will divide the Golden Glades Census Designated Place.

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:

As shown in Table 2 above and as previously stated, 38 percent of the land within the City of North Miami is currently in residential use, while approximately 44 percent of the land within the proposed annexation area is in residential use. Table 2 also shows that approximately 5 percent of the land within the City is undeveloped, while 20 percent of the proposed annexation area is undeveloped. Within the City, approximately 23 percent of the land is in transportation, communication and utilities use, while 17 percent of the land within the proposed annexation area is in that use. Table 2 also shows that approximately five percent of the land within the City is in institutional use, while 12 percent of the proposed annexation area is in institutional use. In addition, Table 2 shows that approximately four percent of the land within the City is in commercial and office use, while three percent of the proposed annexation area is in commercial and office use.

The existing underlying zoning in the proposed annexation area is: RU-2 Two-Family Residential District, RU-3M - Minimum Apartment House District, RU-4L - Limited Apartment House District, RU-5A - Semi-Professional Office District, BU-1 - Neighborhood Business District, BU-1 A - Limited Business District, BU-2 - Special Business District, and AU - Agricultural District.

In its application, the City has included a map that shows R-1 (Residential Estate District) as the proposed zoning for the annexation area. In addition, City of North Miami Resolution No. R-2011-150 states that upon approval of the proposed annexation by the Board of County Commissioners, the initial zoning of the lands in the annexation area shall be designated R-1 as required by the City's Land Development Regulations (LDRs), with an underlying land use of Single Family Residential; and that within 30 days be reviewed by the City for designation of the appropriate zoning consistent with the requirements of the City's LDRs.

Uses permitted in the R-1 Residential Estate zoning district include single family dwellings, community residential (6 or less persons), accessory uses, daycare, docks, home occupations, and public facilities. The City's initial R-1 zoning and Single Family Residential future land use designation of the annexation area would generally be compatible with the land uses and zoning of properties adjacent to the annexation area; however, a change in zoning on the properties within the annexation area, pursuant to the City's Resolution No. R-2011-150, from the existing underlying zoning classifications in the County to the City's R-1 Residential District may result in an abrogation of property rights. The City's R-1 zoning classification is not consistent with and is generally more restrictive than the existing underlying zoning in the proposed annexation area.

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 County as the local Enterprise Zone (EZ) Coordinator currently process applications for businesses located in other municipalities such as the City of Miami, Miami Beach, Opa-Locka, etc. Annexation by the City of North Miami (City) will not preclude the City from the program, and applications submitted from businesses located in the newly annexed City will continue to be processed as before. However, the EZ boundaries will continue to be the EZ boundaries. The City will not be able to add or delete areas to the EZ.

4. Impact public safety response times?

   Fire and Rescue: The City of North Miami 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 the 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 the Miami-Dade Police Department. However, due to continual incorporation and annexation endeavors, the full impact upon the unincorporated area 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 PWWMD has determined that the proposed North Miami 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.

   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?

   Approximately 97 percent (39.6 acres) of the 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 not located within any County designated hurricane evacuation zone and residents of the area are not obligated to evacuate when hurricane warnings are issued.

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

   The area is currently served by Miami-Dade Transit (Transit) routes 2, 9, and 135. The proposed annexation area is currently connected by public transportation to Miami-Dade government offices and commercial centers by Transit routes 2 and 9. The proposed area will be served by the NOMI Express, City of North Miami's free bus service.

   Route 2 runs about two blocks west of the proposed annexation area North and South on North Miami Avenue and serves the Mall at 163 Street, Jackson North, Miami Ave., Horace Mann Middle School, NW 2 Ave., Historic Overtown/Lyric Theatre Metrorail station, Miami-Dade College Wolfson Campus, Downtown Bus Terminal, Stephen P. Clark Government Center, (Government Center), Government Center Metrorail station, Main Library, Historical Museum.

   Route 9 runs two blocks east of the proposed annexation area North and South on NE 6 Avenue and serves City of Aventura, Aventura Mall, the Mall at 163rd Street, City of North Miami Beach, City of North Miami, NE 2 Avenue, City of Miami Shores, Stephen P. Clark Government Center, (Government Center), Government Center Metrorail station, Downtown Bus Terminal, Main Library, Historical Museum of South Florida, Miami Art Museum.

   Route 135 runs on the northern boundary of the proposed annexation area. This East / West route runs on NE 135 Street and services Hialeah Metrorail, Miami Lakes (weekdays only), Opa-locka Tri-Rail, Florida International University Biscayne Bay Campus.

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 areas of unincorporated Miami-Dade County and the City of North Miami. The schools serving the proposed annexation area are: Arch Creek Elementary, North Miami Middle, and North Miami 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 is entirely located inside the Golden Glades Census Designated Place. If the annexation is approved, it will divide the Golden Glades Census Designated Place.

   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 an unincorporated enclave, which is surrounded by the City of North Miami on approximately 87 percent of its boundaries.

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

   As shown in the attached map, the proposed annexation area is bounded on the north by NE 136th Street, on the west by the Biscayne Canal, on the south by NE 131st Street, and on the east by NE 4th Avenue. As stated above, the proposed annexation area is surrounded by the City of North Miami on approximately 87 percent of its boundaries, therefore, the boundaries are logical.

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

   The taxable value within the annexation area is $12,324,483. At the current North Miami millage rate (8.1955 mills), the ad valorem revenues attributable to the annexation area would be $95,955. At the current UMSA millage rate (2.0083 mills), the ad valorem revenues attributable to the annexation area would be $23,514. The expected tax increase to the area if the annexation is approved would be $72,441. The average homeowner would pay an additional $452 in property taxes should the annexation be approved.

Existing and Projected Property Tax Cost City of North Miami FY 2011-12		
	Millage Rate	Millage x Taxable Value
North Miami		
Municipal Millage	8.1955	$95,955
Unincorporated Area		
UMSA Millage	2.0083	$23,514
Increase	**6.1872**	**$72,441**

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

   The annexation area is located inside the 2015 Urban Development Boundary of the Miami-Dade County Comprehensive Development Master Plan.

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 $12,324,483. The area generates an estimated $89,761 in revenue. The County spends an estimated $191,857 per year providing services to the area. Therefore, the net revenue gain to the UMSA budget is an estimated $102,096 (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 $21,894 and utility taxes of an estimated $26,700 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?

   According to the 2010 Census, the population within the proposed annexation area is 702 persons. The taxable value within the annexation area is $12,324,483, therefore the per capita taxable value is $17,556. This figure is below the Unincorporated Area average of $53,954.

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 (LUP) map of the County's Comprehensive Development Master Plan (CDMP), the planned land use designations for the proposed annexation area are "Low Density Residential", "Low-Medium Density Residential", "Medium Density Residential", and "Business and Office". A brief description of these CDMP land use categories follows:

The "Low Density Residential" land use category allows a range in density from a minimum of 2.5 to a maximum of six (6) dwelling units per gross acre. This residential density category is generally characterized by single-family housing, e.g., single-family detached, cluster, and townhouses. It could include low-rise apartments with extensive surrounding open space or a mixture of housing types provided that the maximum gross density is not exceeded.

The "Low-Medium Density Residential" land use category allows a range in density from a minimum of six (6) to a maximum of 13 dwelling units per gross acre. The types of housing typically found in areas designated low-medium density include single-family houses, townhouses and low-rise apartments. Zero-lot-line single-family developments in this category shall not exceed a density of seven dwelling units per gross acre.

The "Medium Density Residential" land use category allows densities from 13 to 25 dwelling units per gross acre. The type of housing structures typically permitted in this category includes townhouses and low-rise and medium-rise apartments.

The "Business and Office" land use category accommodates a full range of sales and service activities. Included are retail, wholesale, personal and professional services, call centers, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes, entertainment and cultural facilities, amusements and commercial recreation establishments such as private commercial marinas. Also allowed are telecommunication facilities such as cell towers and satellite telecommunication facilities. These uses may occur in self-contained centers, high-rise structures, campus parks, municipal central business districts or strips along highways. Uses should be limited when necessary to protect both adjacent and adjoining residential use from such impacts as noise or traffic. Residential uses, and mixing of residential uses with commercial, office and hotels are also permitted in Business and Office areas provided that the scale and intensity is not out of character with that of adjacent or adjoining development and zoning.

Demographic Profile of the Area

As shown on the table below, the estimated 2010 Census population of the proposed annexation area is 702 persons, while the City of North Miami's population is 58,786 persons. The table also shows that approximately 69 percent of the population within the proposed annexation area is Black, not Hispanic, while approximately 56 percent of the population within the municipal boundaries is of Black, not Hispanic, origin.

North Miami Proposed Annexation Area
Demographic and Economic Characteristics
Florida City Area and Miami-Dade County

	Study Area Estimates	North Miami	Miami-Dade
Population Characteristics, 2010	702	58,786	2,496,435
Percent White, Not Hispanic	9.0	12.4	15.4
Percent Black, Not Hispanic	69.2	56.5	17.1
Percent Other, Not Hispanic	0.4	3.9	2.5
Percent Hispanic Origin	21.4	27.1	65.0
Income			
Median Household Income	$28,971	$36,808	$43,605
Per-capita Income	$13,266	$17,264	$22,957
Housing			
Total Housing Units	247	22,110	989,485

Source: U.S. Census Bureau, Census 2010 Summary File 1; U.S. Census Bureau, American Community Survey 5-Year Estimates; and Miami-Dade County Sustainability, Planning and Economic Enhancement Department, Research Section, 2011.
* Estimates for median household income and per-capita income are based on the U.S. Census Block Group that the proposed annexation area is contained within.

Development Profile of the Area

The table below shows the 2012 land use profile for the proposed annexation area, the City of North Miami and Miami-Dade County. Of the approximate 41 acres within the proposed annexation area, roughly 44 percent of the land is in residential use; 20 percent is undeveloped; 17 percent in transportation, communication, utilities use; and 12 percent in institutional use.

The table also shows that approximately 44 percent of the proposed annexation area is in residential use, while 38 percent of the land within the City of North Miami is in residential use. The table shows that approximately 20 percent of the land within the proposed annexation area is undeveloped, while 5 percent of the City's land is undeveloped. Within the proposed annexation area, approximately 15 percent of the land is in transportation, communication and utilities use, while 23 percent of the land within the City is in that use. Twelve percent of the proposed annexation area is in institutional use, while approximately five percent of the land within the City is in institutional use. In addition, approximately three percent of the proposed annexation area is in commercial and office use, while approximately four percent of the land within the City is in commercial and office use and four percent in residential use.

Table 2

City of North Miami Proposed Annexation Area 3
2012 Existing Land Use

Land Use	Annexation Area (Acres)	Annexation Area (Percent Of Total)	North Miami (Area Acres)	North Miami (Percent of Total)	Miami-Dade County (Acres)	Miami-Dade County (Percent of Total)
Residential	18.0	44.2	2,004.5	38.0	110,629.0	8.6
Hotel-Motel	0.0	0.0	4.2	0.1	730.1	0.1
Commercial entertainment	0.0	0.0	0.0	0.0	955.1	0.1
Commercial & Office	1.1	2.8	246.5	4.5	12,691.0	1.0
Industrial	0.0	0.0	102.5	1.9	17,739.2	1.4
Institutional	4.8	11.9	301.4	5.5	14,463.5	1.1
Parks/Recreation/Conservation	0.1	0.3	1,172.6	21.4	832,644.2	65.6
Transportation, Communication, Utilities	7.0	17.1	1,275.5	23.2	87,491.8	6.9
Agriculture	0.0	0.0	0.0	0.0	63,484.9	5.0
Undeveloped	8.2	20.2	265.7	4.8	88,305.9	7.0
Inland Waters	1.5	3.7	36.1	0.7	36,977.2	2.9
Total:	40.8	100.0	5489.0	100.0	1266311.5	100.0

Source: Miami-Dade County Department of Sustainability, Planning and Economic enhancement, Planning Research Section, March, 2012

Issues for Consideration

- The proposed annexation area is an enclave, which is surrounded by the City of North Miami by approximately 87 percent of its boundaries
- The proposed annexation area will divide the Golden Glades Census Designated Place if approved
- City of North Miami Resolution No. R-2011-150 states that upon approval of the proposed annexation by the Board of County Commissioners, the initial zoning of the lands in the annexation area shall be designated R-1 as required by the City's Land

Residential; and that within 30 days be reviewed by the City for designation of the appropriate zoning consistent with the requirements of the City's LDRs

- In its application, the City has included a map that shows R-1 (Residential Estate District) as the proposed zoning for the annexation area

- A change in zoning on the properties within the annexation area, pursuant to the City's Resolution No. R-2011-150, from the existing underlying zoning classifications to the City's R-1 Residential District may result in an abrogation of property rights. The City's R-1 zoning classification is not consistent with and is generally more restrictive than the existing underlying zoning in the proposed annexation area

- If the proposed annexation is approved, the annexation area should be designated by the City of North Miami to the City zoning categories that are most similar to the current Miami-Dade County zoning designations

- If the proposed annexation is approved, the annexation area should be designated by the City of North Miami to the City land use categories that are most similar to the current Miami-Dade County CDMP Land Use Plan designations

- The annexation should be contingent upon the annexation area remaining part of the Miami-Dade Fire Rescue District in perpetuity

Attachments:

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

c: Jennifer Moon, Director, Office of Management and Budget

CLERK OF THE BOARD
DEC 14 PM 4:11
CLERK CIRCUIT & COUNTY CTS
MIAMI-DADE COUNTY, FLA.

Application for Annexation

Area 3 – Central City Enclave

City of North Miami

776 NE 125th Street
North Miami, FL 33161

www.northmiamifl.gov

December 2011

NORTH MIAMI
FLORIDA

NORTH MIAMI
INCORPORATED

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November 14, 2011

Harvey Ruvin
Miami Dade County Clerk
Circuit County Courts
73 W Flagler Street
Miami, FL 33130

Re: Application for Annexation (Area 3) - City of North Miami

Dear Mr. Ruvin:

The City of North Miami has identified a potential annexation area (known as Area 3) and consistent with the requirements of Section 20-3 of the Miami Dade County Code, the City has completed its due diligence and obtained the pertinent documents needed to satisfy the submittal requirements as outlined in the Miami Dade County Code. As such, attached please find three (3) certified copies of the City's resolution requesting the proposed boundary change along with proof of compliance of noticing requirements along with the aforementioned supporting documents.

The most recent data and analysis done on the City's Comprehensive Plan revealed that **the City of North Miami has only 1.5% vacant developable lands remaining and is approaching build out.** As such, Policy 1.1.7 of North Miami's Comprehensive Plan requires that the City actively pursue development and growth management opportunities through several mechanisms including, but not limited to, exploring possible annexations. To that end, the City believes the proposed annexation will help to strengthen its fiscal position and create an additional supply of developable land. North Miami in turn has a number of City amenities, housing and business grant programs that may be of great benefit to many of the residents and businesses in the subject annexation area.

Furthermore, it should be noted that the proposed annexation area currently receives water services from North Miami and would fit seamlessly into the City limits since, as evident in the enclosed maps, it currently appears as a doughnut hole engulfed by North Miami on all four sides. **With the Miami-Dade government center being located 20 miles away and the City of North Miami's City Hall located only 2 miles away, the City believes it is more practical to annex this area within its boundary** so the residents and businesses can have easier access to North Miami's quality neighborhood services.

It gives me great pleasure to submit this application for consideration by the Board of County Commission. If you have any questions regarding this application, please contact our Community Planning and Development Director Maxine Calloway Esq., at mcalloway@northmiamifl.gov/, (305) 895-9821, or contact the City Planner Tanya Wilson-Sejour at tsejour@northmiamifl.gov / (305) 895-9826.

Sincerely,

Stephen E. Johnson
City Manager

SEJ/mp

c: Maxine Calloway AICP, Esq., Director, Community Planning & Development
Tanya Wilson-Sejour AICP, City Planner
Lumane Pluviose-Claude, Deputy City Manager
Mayor & Council

RESOLUTION NO. R-2011-150

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING SUBMITTAL OF APPLICATION TO MIAMI-DADE COUNTY TO ANNEX INTO THE CITY AN AREA BORDERED ON THE WEST SIDE BY THE BISCAYNE CANAL, ON THE EAST SIDE BY N.E. 4TH AVENUE, ON THE SOUTH SIDE BY N.E. 131ST STREET AND ON THE NORTH SIDE BY N.E. 135TH STREET (ALSO KNOWN AS AREA 3); PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, policy 8.1.7 of the City's Comprehensive Plan encourages the City to actively pursue development and growth management opportunities through several mechanisms including but not limited to exploring annexations where necessary; and

WHEREAS, the City Council desires to annex the subject properties bordered on the west side by the Biscayne Canal, on the east side by N.E. 4th Avenue, on the south side by N.E. 131st Street and on the north side by N.E. 135th Street (also known as Area 3); and

WHEREAS, at a regularly scheduled City Council meeting held on October 11, 2011, City Administration was directed to file a formal annexation application with the County Clerk pursuant to the requirements of Section 20-3 of the Miami-Dade County Code; and

WHEREAS, Section 1-106(b)(3) of the City's Land Development Regulations (LDRs) requires that all annexed lands shall automatically be zoned R-1 and within 30 days be reviewed by the City for designation of appropriate zoning consistent with the requirements of Article 3, Division 10 of the City's LDRs; and

WHEREAS, the Mayor and Council find that the proposed annexation is in the best interests of the City and satisfies the goals, objectives and policies of the City's Comprehensive Plan.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA THAT:

Section 1. Authorization to City Administration. The Mayor and City Council of the City of North Miami, Florida, hereby direct City Administration to satisfy all necessary

requirements to file a formal annexation application with the Miami-Dade County Clerk to annex into the City an area bordered on the west side by the Biscayne Canal, on the east side by N.E. 4th Avenue, on the south side by N.E. 131st Street and on the north side by N.E. 135th Street known as Area 3.

Section 2. Land Use and Zoning of Annexed Lands. Upon approval by the Miami-Dade Board of County Commissioners the initial zoning of the annexed lands in Area 3 shall be a designation of R-1 as required by Section 1-106(b)(3) of the City's LDRs with an underlying land use of Single Family residential.

Section 3. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 22 day of November, 2011.

ANDRE D. PIERRE, ESQ.
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

V. LYNN WHITFIELD
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Councilman Galvin

Seconded by: Councilman Marcellus

Vote:

Mayor Andre D. Pierre, Esq.	X (Yes)	(No)
Vice Mayor Marie Erlande Steril	X (Yes)	(No)
Councilperson Michael R. Blynn, Esq.	X (Yes)	(No)
Councilperson Scott Galvin	X (Yes)	(No)
Councilperson Jean R. Marcellus	X (Yes)	(No)

CERTIFICATION

I certify this to be a true and correct copy of the record in my office.
WITNESSETH my hand and official seal of the City of NORTH MIAMI Florida, this the 6 day of December 20 11

Jacqui Vieira, RMC City Clerk

RESOLUTION NO. R-2011-150

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING SUBMITTAL OF APPLICATION TO MIAMI-DADE COUNTY TO ANNEX INTO THE CITY AN AREA BORDERED ON THE WEST SIDE BY THE BISCAYNE CANAL, ON THE EAST SIDE BY N.E. 4TH AVENUE, ON THE SOUTH SIDE BY N.E. 131ST STREET AND ON THE NORTH SIDE BY N.E. 135TH STREET (ALSO KNOWN AS AREA 3); PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

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WHEREAS, the City Council desires to annex the subject properties bordered on the west side by the Biscayne Canal, on the east side by N.E. 4th Avenue, on the south side by N.E. 131st Street and on the north side by N.E. 135th Street (also known as Area 3); and

WHEREAS, at a regularly scheduled City Council meeting held on October 11, 2011, City Administration was directed to file a formal annexation application with the County Clerk pursuant to the requirements of Section 20-3 of the Miami-Dade County Code; and

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WHEREAS, the Mayor and Council find that the proposed annexation is in the best interests of the City and satisfies the goals, objectives and policies of the City's Comprehensive Plan.

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ANDRE D. PIERRE, ESQ.
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

V. LYNN WHITFIELD
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Councilman Galvin

Seconded by: Councilman Marcellus

Vote:

Mayor Andre D. Pierre, Esq.	X (Yes)	(No)
Vice Mayor Marie Erlande Steril	X (Yes)	(No)
Councilperson Michael R. Blynn, Esq.	X (Yes)	(No)
Councilperson Scott Galvin	X (Yes)	(No)
Councilperson Jean R. Marcellus	X (Yes)	(No)

CERTIFICATION

I certify this to be a true and correct copy of the record in my office.
WITNESSETH my hand and official seal of the City of NORTH MIAMI Florida, this the 6 day of December 20 11

Jacqueline Dopwell City Clerk

RESOLUTION NO. R-2011-150

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NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA THAT:

Section 1. Authorization to City Administration. The Mayor and City Council of the City of North Miami, Florida, hereby direct City Administration to satisfy all necessary

requirements to file a formal annexation application with the Miami-Dade County Clerk to annex into the City an area bordered on the west side by the Biscayne Canal, on the east side by N.E. 4th Avenue, on the south side by N.E. 131st Street and on the north side by N.E. 135th Street known as Area 3.

Section 2. **Land Use and Zoning of Annexed Lands.** Upon approval by the Miami-Dade Board of County Commissioners the initial zoning of the annexed lands in Area 3 shall be a designation of R-1 as required by Section 1-106(b)(3) of the City's LDRs with an underlying land use of Single Family residential.

Section 3. **Effective Date.** This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by a 5-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 22 day of November, 2011.

ANDRE D. PIERRE, ESQ.
MAYOR

ATTEST:

MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

V. LYNN WHITFIELD
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Councilman Galvin

Seconded by: Councilman Marcellus

Vote:

Mayor Andre D. Pierre, Esq.	X (Yes)	(No)
Vice Mayor Marie Erlande Steril	X (Yes)	(No)
Councilperson Michael R. Blynn, Esq.	X (Yes)	(No)
Councilperson Scott Galvin	X (Yes)	(No)
Councilperson Jean R. Marcellus	X (Yes)	(No)

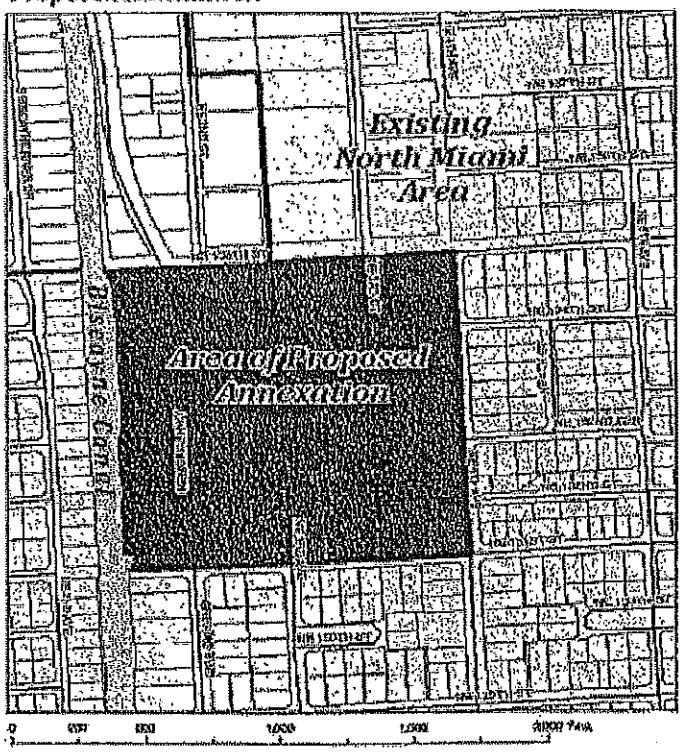
CERTIFICATION
I certify this to be a true and correct copy of the record in my office.
WITNESSETH my hand and official seal of the City of NORTH MIAMI Florida, this the 6 day of December, 20 11
Jacque Vieux, Deputy City Clerk

NORTH MIAMI
FLORIDA

NOTICE OF PUBLIC HEARING
Consideration of Annexation

NOTICE IS HEREBY GIVEN that the City Council of the City of North Miami, proposes to hold a public hearing on **Tuesday November 22, 2011 at 7pm** in the Council Chambers at City Hall, 2nd Floor, 776 NE 125 Street, to consider the proposed annexation of an area (ALSO KNOWN AS AREA 3): bordered on the west side by the Biscayne canal, on the east side by NE 4th Avenue, on the north side by NE 135th Street, on the south side by NE 131st Street, as depicted in the map below:

Proposed Annexation



The City of North Miami proposes to adopt the following resolution:

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING SUBMITTAL OF APPLICATION TO ANNEX INTO THE CITY AN AREA BORDERED ON THE WEST SIDE BY THE BISCAYNE CANAL, ON THE EAST SIDE BY NE 4TH AVENUE, ON THE NORTH SIDE BY NE 135TH STREET, ON THE SOUTH SIDE BY NE 131ST STREET AS (ALSO KNOWN AS AREA 3); PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

PLEASE BE ADVISED that Members of the public are invited to attend the Public Hearing and provide oral or written comments on the matter. A copy of the staff report or application materials will be available for public review online by accessing the following *http://www.northmiamifl.gov/government/minutes_agendas/index.asp* Written comments may be faxed prior to the meeting to (305) 895-4074 or emailed to: mcalloway@northmiamifl.gov

BECOME A PART OF OUR NEIGHBORHOOD!

What Does Annexation Mean For You?

If approved the proposed annexation will provide the following benefits...

Express Yourself! As North Miami residents you will have direct access to City Council Meetings, your elected officials and administrative personnel such as code enforcement, permitting and planning and zoning services to name a few.

Neighbors helping Neighbors! When you become a resident of North Miami, you are automatically invited to qualify for a wide array of services including...First time Home buyer funds, Rental assistance, Foreclosure Prevention Programs as well as Roof and Paint Repair Grants...and many more.

Great News for Businesses, too! The City's Rehabilitation Grant Program will be available for your commercial property...This means Grants of up 50% of the approved total cost per projects not exceeding $80,000. Ask us for the details. Plus the City also offers a Beautification Grant and Business Attraction Grants. We can be your partner in success, too! Just ask us how.

Better neighborhood policing! The North Miami Police...around the clock protection just around the corner... You can count on quicker response time to your calls for help. The North Miami Police Force is dedicated, skilled and located only 1 mile away.

Enhanced Quality of Life! In addition to the water service you already receive from North Miami you would also enjoy the following savings:

- *Rewards Program – As a resident you would also enjoy the recycle bank program which provides curbside recycling pick up for all residential households and North Miami residents earn reward points for recycling. By participating in the Recycle Bank rewards program, residents can earn hundreds of dollars in reward value each year just by recycling as much as possible. Rewards include discounts at local supermarkets as well as local entertainment, including Zoo Miami and Miami Seaquarium.*

- *Paid summer internship – Your family would benefit from North Miami's exceptional system of parks with onsite facilities and recreational programs for youth and adults. The City maintains over 22 parks and recreational facilities (which include Community and Neighborhood Parks, Tot Lots, Passive Green Spaces, Sports Fields and Special Use Parks). One of the many outstanding programs offered by the City through its Parks Department is the paid YOB (Youth Opportunity Board) Summer Internship Program for High School and College students who are residents of North Miami. If annexed, the future residents of Area 3 would be able to enjoy the fully operational and well maintained system of parks, facilities and programs offered through the City's Parks & Recreational Department.*

- *Transportation Savings – As a resident of North Miami, you will also save in transportation costs by having access to the City's free commuter Nomi bus service that runs for the entire business week from Monday to Friday, 7am to 8pm. The City offers the Miami Dade County Easy Pass which provides a discount of 25 dollars off of $100 pass to North Miami residents to be used on any MDT bus route.*

Carlos A. Manrique
Georgina Cabrera
Property Owners Data Research Services
3802 SW 79th Avenue, #117
Miami, Florida 33155
Phone (305) 262-8966 * *Fax* (305) 269-3801
Email DataResearchAssociates@gmail.com

Date: November 10, 2011

Number of Owners: 495 (Including Subject)

COVER LETTER & CERTIFICATION

To: CITY OF NORTH MIAMI
Community Planning and
Development Department
12400 NE 8th Avenue
North Miami, FL 33161

RE: Property Owners within a 600' Foot Radius of:
AREA #3- Proposed Annexation

Legal Description: *As described in Exhibit "A"*

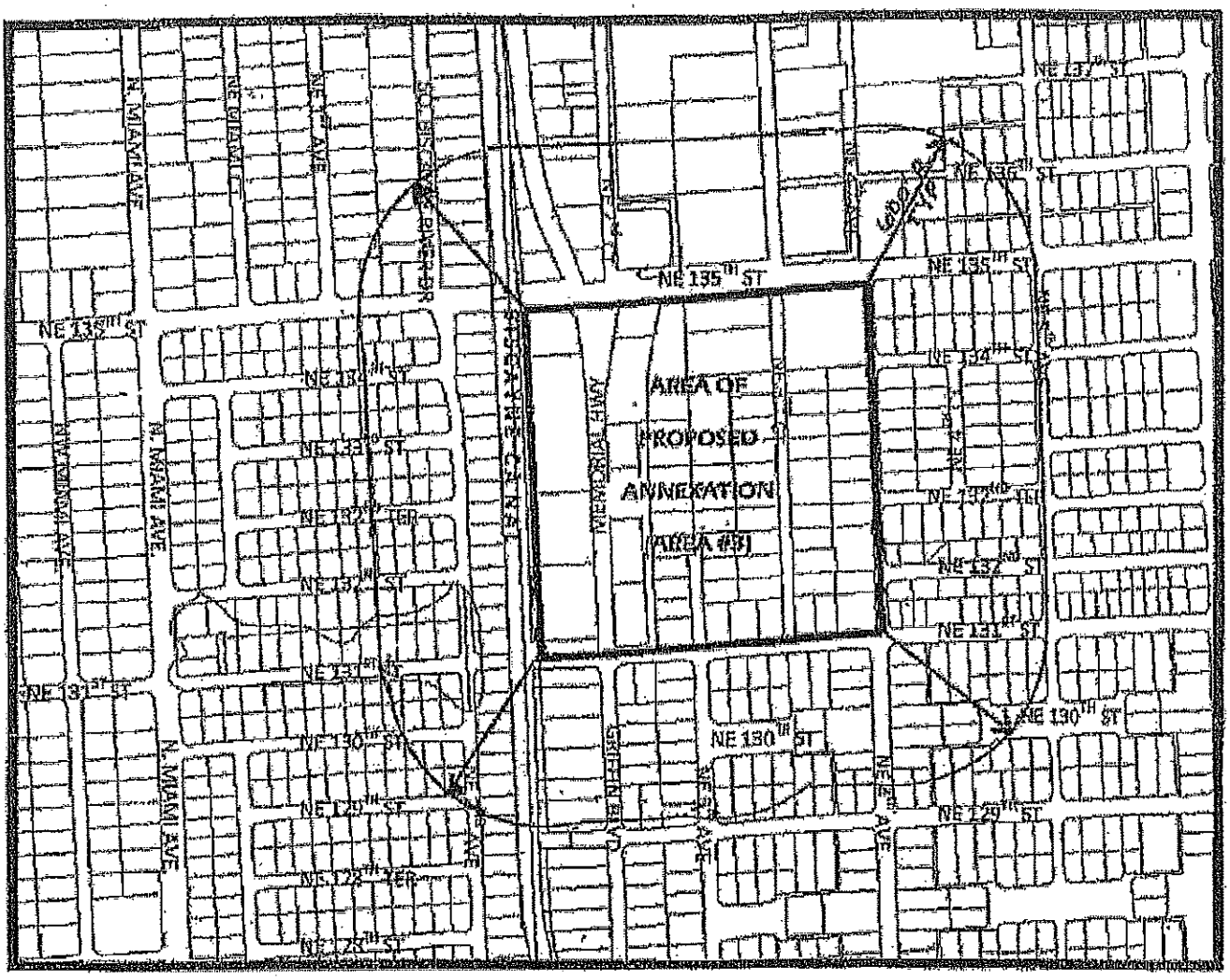
- AREA 3: BOUNDED ON THE NORTH BY NE 135TH STREET, ON THE EAST BY NE 4TH AVENUE, ON THE SOUTH BY NE 131ST STREET, ON THE WEST BY THE BISCAYNE CANAL.

I hereby certify that I have prepared the attached ownership list, map, and mailing labels which are a complete and accurate representation of all real estate property and property owners who live (or own) real estate property within a **600' foot radius** of the external boundaries of the subject property listed above. All of which reflects the latest ad-valorem tax records on file in the Miami-Dade County Tax Assessor's Office.

NOTE: *Unless otherwise specified, all property owners are listed in numerical order by folio number.*

Sincerely,

Georgina Cabrera, Data Researcher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TAB A

1. **Legal description of the lands or land area involved in proposed boundary change.**

BEGINNING ON THE EAST SIDE OF THE BISCAYNE CANAL, THEN NORTH TO N.E. 135TH STREET THEN EAST SIDE TO NE 4TH AVENUE, THEN SOUTH TO NE131 STREET TO THE POINT OF BEGINNING.

TAB B - Location Map of Area 3

Proposed Annexation

Existing North Miami Area
Area of Proposed Annexation
NE 135TH ST
NE 19TH AVE
NE 2ND CT
NE 3RD AVE
NE 6TH AVE
NE 137TH ST
NE 132ND ST
NE 131ST ST
NE 130TH ST
NE 129TH ST
NE 127TH ST
NE 125TH ST
NE 123RD ST
NE 122ND TER
NE 121ST ST
NE 120TH ST
NE 119TH ST
BISCAYNE BLVD
BISCAYNE RIVER DR
NE 2ND AVE
NE 1ST AVE
NE 1ST PLACE
NE 1ST AVE
NE 2ND AVE
NE 3RD AVE
NE 6TH AVE
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TAB C

Elections
2700 NW 87th Avenue
Miami, Florida 33172
T 305-499-VOTE F 305-499-8547
TTY 305-499-8480

miamidade.gov

RECEIVED
AUG 11 2011
COMMUNITY PLANNING
& DEVELOPMENT

August 5, 2011

Maxine Calloway Esq. AICP
Director, Community Planning & Development
City of North Miami
776 NE 125th Street
North Miami, FL 33161

Dear Ms. Calloway:

The Miami-Dade County Elections Department has completed a review of the City of North Miami annexation areas described as Area 1, Area 2, Area 3, and Area 4. A certification of the number of registered voters is enclosed for your reference.

A fee of $ 230.00 has been assessed for the research and labor involved in determining the number of registered voters in the proposed annexation areas. This fee represents a charge of $50 for the first hour and an additional $20 for each of the extra 9 hours needed to determine the number of registered voters.

Should you have any questions or concerns, please feel free to contact Rosy Pastrana, Deputy Supervisor of Elections for Voter Services at 305-499-8548.

Sincerely,

Lester Sola
Supervisor of Elections
Miami-Dade Elections Department

Enclosure (1)

cc: Russell Benford, City Manager
Tanya Wilson-Sejour, City Planner

Elections
2700 NW 87th Avenue
Miami, Florida 33172
T 305-499-VOTE F 305-499-8547
TTY: 305-499-8480

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CERTIFICATION

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

I, Lester Sola, Supervisor of Elections of Miami-Dade County, Florida, do hereby certify that the **City of North Miami Annexation Areas** have the number of voters as shown below:

Area 1: **116 voters**
Bounded on the **north** by NW 159th Street, on the **east**, by NW 6th Ave, on the **south** by NW 143 Street, on the **west** by NW 7th Avenue.

Area 2: **420 voters**
Bounded on the **north** by NW 135, on the **east**, by NW 13th Avenue, on the **South** by NW 131 Street, on the **west** by NW 16th Avenue.

Area 3: **237 voters**
Bounded on the **north** by NE 135 St, on the **east**, by NE 4th Ave, on the **south** by NE 131St, on the **west** by the Biscayne canal.

Area 4: **4,294 voters**
Bounded on the **north** by NE 121 Street (excluding those areas east of Biscayne Boulevard and north of Bayshore Drive), and bounded on the **east** side by Biscayne Bay, on the **south** by NE 105th Street, and on the **west** by Peach Tree Drive.

WITNESS MY HAND AND OFFICIAL SEAL, AT MIAMI, MIAMI-DADE COUNTY, FLORIDA, ON THIS 5th DAY OF AUGUST, 2011

Lester Sola
Supervisor of Elections
Miami-Dade County

Please submit a check for $230.00 to our office payable to the "Board of County Commissioners" for the cost of research and labor.

TAB D - Grounds for Proposed Annexation Boundary Changes

The most recent data and analysis done on the City's Comprehensive Plan revealed that the City of North Miami has only 1.5% vacant developable lands remaining and is approaching build out. As such, Policy 1.1.7 of North Miami's Comprehensive Plan requires that the City actively pursue development and growth management opportunities through several mechanisms including but not limited to exploring annexation where necessary. To that end, the City has identified the proposed annexation area (known as Area 3), which is essentially a doughnut hole bordered by NE 135 St on the north, NE 4th Avenue on the east, NE 131 Street on the South and Biscayne canal on the west.

The subject area consists of 38 acres in size, is predominantly residential (48%) and contains 237 registered voters. There is currently over 8 acres of vacant/undeveloped land remaining in *Area 3*, which represents approximately 21% of the total area. The proposed area is almost completely surrounded by North Miami on all four (4) sides. As such, the City believes annexing this area would be a seamless addition that would help to square off the City's northern boundary. Additionally, the annexation of *Area 3* will help achieve the City's redevelopment goals and further enhance North Miami's fiscal and economic base; a critical objective for a City approaching build out with little vacant developable land remaining.

Furthermore, with the Miami-Dade Government Center being located approximately 20 miles away and the City of North Miami's City Hall being located only 2 miles away from the subject area, the City believes it is more practical to annex Area 3 within its boundary in order to provide residents and businesses with quick, convenient access to quality localized services. The City believes the proposed annexation would provide the following opportunities for the residents and businesses in the subject area:

LOCALIZED GOVERNMENT

Although the subject annexation area is under the jurisdiction of Miami-Dade County, it is currently located within the City's water service boundary. As such, North Miami currently provides water to the subject area. However, since the area's residents and businesses are not within the geographic boundaries of the City, they are excluded from the City's electoral process and in turn have little or no influence over the political and fiscal affairs of North Miami. If annexed, the property owners and businesses within the proposed Area 3 will benefit from more convenient localized government and have an opportunity to actively participate in the City's fiscal and political decision making process. As North Miami residents they would also have readily available access to participate in Council meetings, direct contact to administrative personnel, including: City code enforcement, permitting and planning/zoning services to name a few.

ADDITIONAL SERVICES

Housing Programs

The proposed annexation area will also have an opportunity to participate in the City's extensive housing programs which offer a wide array of services including but not limited to: **first time home buyer funds, rental assistance, foreclosure prevention programs as well as roof and paint repair grants** to qualified residents.

Business / Commercial Programs

The City provides a **Rehabilitation Grant Program** to improve the façade or physical exterior of certain commercial properties located with the City's boundaries. Grants typically cover up to 50% of the approved total project cost not to exceed $80,000 per building or project. The City also offers a **Beautification Grant Program** up to $15,000 to eligible commercial property owners or business operators for exterior/interior improvements to their buildings. Through its **Business Attraction Grant** businesses are entitled up to $10,000 for interior build-out for specific eligible businesses moving into the City.

Neighborhood Police Service

There is also the benefit of having increased safety with access to highly efficient neighborhood policing through the North Miami Police force. Under the current circumstances residents in the subject area filing a police report have to travel all the way to the *Miami Dade County Intercostal Station* (located 6 miles way) or *Headquarters* (located 19 miles away) which is much further away than the *North Miami Police Station* (located only 1 mile away). North Miami Police Department often receives calls from residents in the subject area but have to refer these individuals to the County instead. However since North Miami police officers are closer than the County Police, they would be first responders on the scene and save critical response time in emergency calls.

Environmental/Sustainable Programs

The City currently holds the coveted honor of being an **All American City** and a **Certified Silver Green Local Government** as a result of the many innovative park and recreational programs as well as green strategies that are environmentally friendly and offer creative cost savings to residents. If annexed, the subject areas would also enjoy programs like the **recycle bank** which provides curbside recycling pick up for all residential households. In turn North Miami residents can earn reward points for recycling. By participating in the *Recycle Bank rewards program*, residents can earn hundreds of dollars in reward value each year just by recycling as much as possible. Rewards include discounts at local supermarkets as well as local entertainment, including Zoo Miami and Miami Seaquarium.

The City of North Miami has **an exceptional system of parks with onsite facilities and recreational programs for youth and adults.** The City maintains over 22 parks and

recreational facilities (which include Community and Neighborhood Parks, Tot Lots, Passive Green Spaces, Sports Fields and Special Use Parks). One of the outstanding programs offered by the City through its Parks Department is the paid YOB (Youth Opportunity Board) Summer Internship Program for High School and College students who are residents of North Miami. If annexed, the future residents of Area 3 would be able to enjoy the fully operational and well maintained system of parks, facilities and programs offered through the City's Parks & Recreational Department.

Transportation Programs

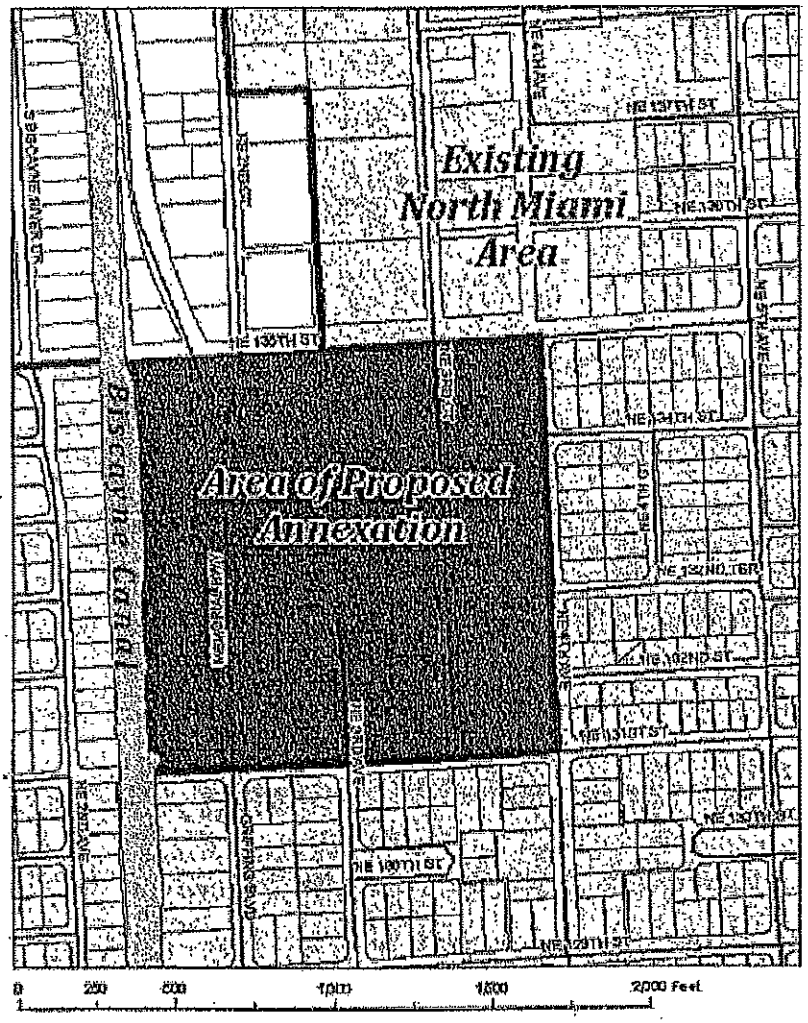
As a resident of North Miami, the subject area will also save in transportation costs by having access to the City's free commuter Nomi bus service that runs for the entire business week from Monday to Friday, 7am to 8pm. The City offers the *Miami Dade County Easy Pass* which provides a discount of 25 dollars off a $100 pass to North Miami residents to be used on any MDT bus route.

For the aforementioned reasons, the City of North Miami formally requests that Miami-Dade County Board of County Commissioners approved the proposed annexation request.

TAB E - A statement declaring whether an enclave, as defined in section 20-7(A) (1) (c), borders the municipality and whether the proposed boundary change includes such enclave.

The City confirms that (as shown in the map below) the proposed annexation Area 3 is contiguous to its boundaries and does not create a separate enclave as defined by Section 20-7.A.1.c

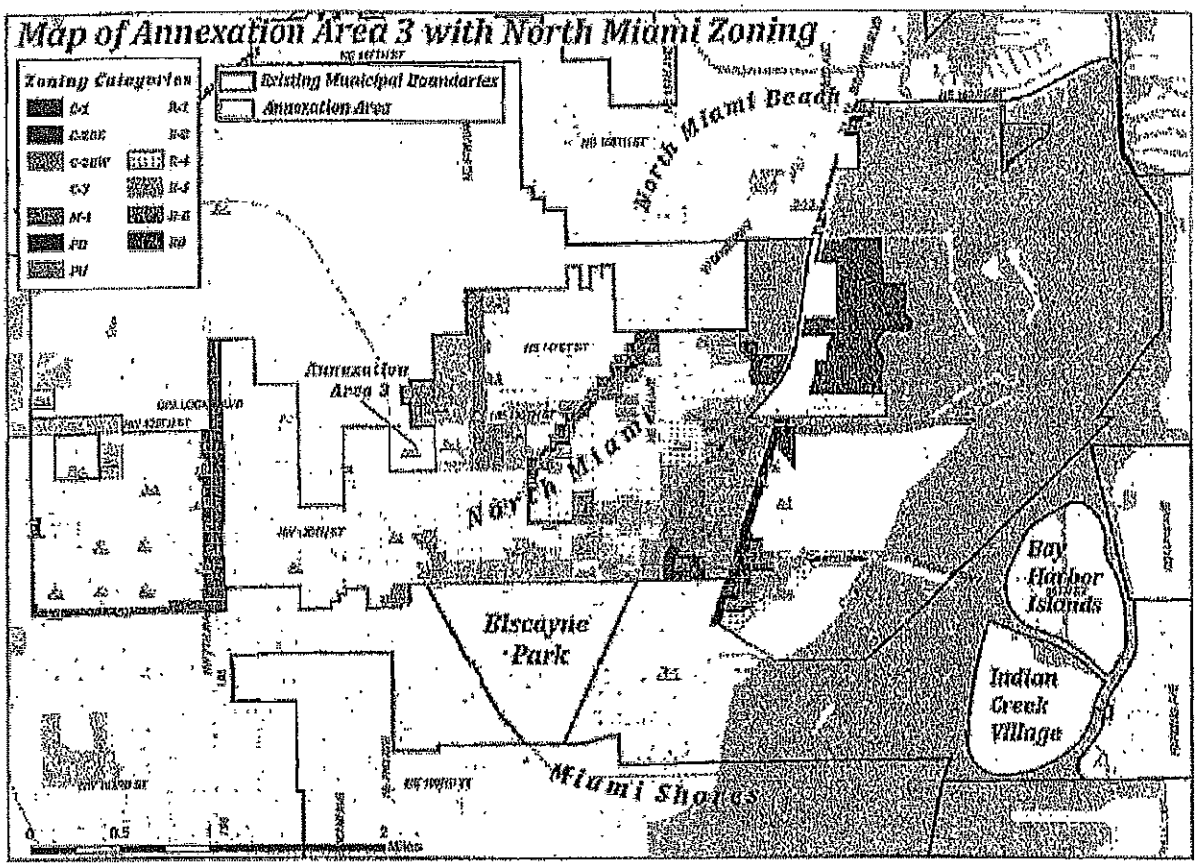
Proposed Annexation



TAB F-1 – LAND USE PLAN AND ZONING

In addition to the foregoing, there shall be filed with the Clerk of the County Commission the following information:

(1) ***Land use plan and zoning.*** The municipality shall present a general land use plan and a map showing proposed zoning for the subject area which, if annexed, will be enacted by the municipality.



TAB F-2 (a-l) LIST OF SERVICES TO BE PROVIDED.

(a) POLICE PROTECTION.

Annexation Area 3 is currently served by the Miami Dade County Police Department. However if annexed the City of North Miami has a full service law enforcement agency that will be providing police protection to the proposed area. The City of North Miami currently has 107 Sworn Law Enforcement Officers and 36 Non-Sworn support personnel. The local policing offered by North Miami will provide area property owners closer access to their local government and police services. In their current situation, residents must travel to the Miami-Dade County Inter Coastal Station or Head Quarters which is located much further away then the North Miami Police Department or North Miami City Hall.

North Miami Police Officers currently respond to the area to look for subjects that have committed crimes in North Miami and to back-up county officers. Occasionally, North Miami Officers are closer than county officers for emergency calls and will be the first responders. Many of the people that live in this area associate themselves as living within North Miami and call the North Miami Police Department for assistance. North Miami then has to refer them to Miami-Dade County. The annexation of this area **will not have an effect on the staffing levels** of the North Miami Police Department since the area **will not require** the hiring of any additional officers.

From proposed Annexation **Area 3,** the North Miami Police Department and City Hall is located **1.2 miles away.** The Miami-Dade County Inter Coastal Station is 3 miles away and their Head Quarters is 22.5 miles away. For emergency and priority calls, the average response time for the North Miami Police Department, from the time the call was received in dispatch until an officer arrives at the scene is **4 minutes and 30 seconds.** The average time for emergency and priority calls to be processed at dispatch is just over 1 minute and the officer's response time is just over 3 minutes. Miami-Dade Police Department's average response time including dispatch for emergency and priority calls is approximately **8 minutes,** with just over 1 minute at dispatch and approximately 7 minutes for the officer to respond.

The City would be able to provide superior law enforcement services to the areas which would include patrol services, investigative services (the North Miami Police Department investigates all crimes that occur within the City including homicides), special response (SWAT), Tactical Units and specialized services such as community policing and traffic enforcement. The City of North Miami would be able to provide all law enforcement services to the annexed area in an exceptional manner.

The City would offer **outstanding law enforcement services, shorter response times** and an **in-depth community policing program.** Currently the city is divided into 6 patrol zones and 22 grids. By assigning an area to a grid and zone it allows the department to track and monitor crimes in a specific area. The police department then uses a three prong approach: Intelligent based policing, community policing, and traditional policing, to best deploy its resources.

Intelligent based policing requires the department to monitor crime statistics on a daily, weekly and monthly basis. Through monitoring, crime trends are detected and police resources

are deployed to combat the crime. The department has a full time crime analyst that prepares reports daily. The crime analyst works directly with the Crime Suppress Unit (CSU), Investigative Section (IS) and the Patrol Section on a daily basis to discuss crime trends and Modus Operandi (MO). This strategy has been effective in reducing crime by 5% in 2008, 8% in 2009, and 5% in 2010. In addition, 2010 had the lowest number of part one crimes reported since 1963.

Community policing is a concept that the department has embraced for several years at all levels. The department has a community policing section and stresses community policing at every level from the patrol officer to the chief. The community policing section servers as the liaison between the community and the police department. The department has given credit to the community for being a strong partner and assisting the department in lowering crime to the lowest level since 1983. Each area of the city has its own community policing officer. The community policing officer attends community functions such as homeowners meetings, crime watch groups or other functions in the community. The officer serves in a bi-direction capacity. The officer provides the community with information and crime prevention tips but also brings back information and feedback from the community to the department.

Traditional policing model in which the department responds to calls for service in a rapid manner and maintains high visibility patrol operations. The North Miami Police Department's response time is about half of Miami-Dade's response time. North Miami officers are assigned to smaller geographic areas then Miami-Dade County Officers, which allow them to know the residents and businesses in their areas and allows for quicker response time to emergency and non- emergency calls. The North Miami Police Department stresses high visibility of police units and interaction between the officers and residents. The Department prides its self on crime reduction and superior customer service.

In addition, the City of North Miami's Chief of Police has an "open door policy" with all residents and business owners. Positive interaction with the Chief affords citizens a feeling of importance, and assures that their issues and concerns will be addressed from the very top of the organization. The Chief encourages this open door policy at every level in the department. Residents and business owners have access to every member of the command staff including the chief.

(b) FIRE PROTECTION

Fire and emergency medical services will continue to be provided by Miami Dade County. Fire Station 19 is centrally located at 650 NW 131 ST and is only 2 miles from the proposed annexation Area 3. There is no cost to the City for this service.

(c) WATER SUPPLY AND DISTRIBUTION

The City's existing water facility is the Winston Water Treatment Plant provides a reliable source of lime softening water with a permitted capacity of 9.3 MGD (million gallons per day). This plant

provides approximately 65% of the City's finished water but it also supplies water to customers in a few of the neighboring cities as well areas of unincorporated Miami Dade County (including the area of the proposed Annexation 3). However, the existing facility cannot satisfy all the City's water demands so the City purchases supplemental finished water from Miami-Dade Water & Sewer Department to supply approximately 35% of its total water need. If Area 3 is annexed the transition would be seamless since the City already provides water to the proposed area and is not anticipated to impose any additional service cost to the City.

(d) SANITARY SEWER

The City of North Miami owns and maintains its sanitary sewer facility and provides sewer service to the businesses and residents of the City, a few neighboring cities as well as areas of unincorporated Miami Dade County. The subject area is currently on septic; however should the area desire to be hooked up to the City's sewer connection in the future, each applicant shall be responsible for charges associated with sewer service hook up and said request is subject to final Council approval. The City's total service demand based on existing needs is *approximately 3 billion gallons of sewage annually.* However the facility has a maximum annual system capacity of *over 5 billion*. Therefore the City is currently meeting its level of service standards for sanitary sewer facilities and maintains excess capacity to accommodate additional demands of *Area 3* if needed.

(e) GARBAGE AND REFUSE COLLECTION AND DISPOSAL

The City's Public Works Department provides garbage and solid waste removal service for City residents and currently collects over 15,000 Tons of Garbage and 9,000 Tons of Trash annually. The City routinely provides twice a week garbage pickup and once a week bulk pick up and every other week recycling pick up. Solid waste collection is maintained at a level of service standard of 0.8 tons of solid waste per capita per year. The City is currently meeting its level of service standard for solid waste. If proposed Area 3 is annexed into the City 2 additional staff would be needed in order to service the area. With the current level of service the transition to bring the new area on line would be immediate. In addition to receiving North Miami's efficient twice a week trash pickup and once a week bulk trash collection, residents in the proposed Annexation Area 3 would also enjoy the benefits of gaining rewards trough the City's Recycle Bank Points Program.

(f) STREET LIGHTING

Florida Power & Light (FPL) currently provides the electrical service and the street lighting system for North Miami. FPL has adequate capacity to serve the future electrical needs of the subject area. It is also expected that FPL would provide these services to the proposed annexation Area 3 so the transition would be seamless. The standard for street lighting in the proposed Area 3 would be fully consistent with the South Florida Building Code and State Energy Code.

(g) STREET CONSTRUCTION AND MAINTENANCE

North Miami maintains all the local roads within its jurisdiction except certain arterials, collector streets and expressways such as State Road 7, I-95 and U.S Highway 1.Many minor and

arterial streets are constructed and improved by the private sector as development occurs. However the City assumes responsibility over the maintenance once development is completed. Proposed Area 3 contains over 2.23 miles of roadway and over 16,600 feet of sidewalk space. All public roads and sidewalks in the subject area will be maintained by the City of North Miami's Public Works Department.

(h) PARK AND RECREATION FACILITIES AND SERVICES

The City of North Miami has an exceptional system of parks with onsite facilities and recreational programs for youth and adults. The City maintains over 22 parks and recreational facilities (which include Community and Neighborhood Parks, Tot Lots, Passive Green Spaces, Sports Fields and Special Use Parks). North Miami's current park level of service (LOS) is 2.75 acres of park space per 1,000 residents. Currently, the City is surpassing this with a level of service of 18.9 acres per 1,000 people. As an All American City and a Certified Silver Green Local Government, North Miami strives to achieve the sustainable goals and objectives outlined in the adopted Parks Master Plan. One of the outstanding programs offered by the City through its Parks Department is the paid YOB (Youth Opportunity Board) Summer Internship Program for High School and College students who are residents of North Miami. If annexed, the future residents of Area 3 would be able to enjoy the fully operational and well maintained system of parks, facilities and programs offered through the City's Parks & Recreational Department.

(i) BUILDING & ZONING

The City of North Miami maintains a full service Building & Zoning Division that processes variances, special exceptions, site plans, building permits and conducts building inspections. Staff of the Building & Zoning Division also work closely with the members of the Board of Adjustment at their monthly public hearings where the Board reviews and makes decisions on zoning related matters. The residents of the subject annexation area currently commute over 20 miles away to the County's Planning & Zoning Division in order to receive these services. If annexed, the City's Building and Zoning Department is conveniently located only 3 miles away from the subject area. All applicable Federal, State and County storm water management and environmental permits are required to be obtained prior to the issuance of specific City building permits.

(j) LOCAL PLANNING SERVICES

The City of North Miami's Community Planning Department provides long and short range planning services including, transportation planning, comprehensive plan amendments, conditional use permits, rezoning, master planning and platting. Planning Staff work closely with the Planning Commission (the City's Planning Advisory Board) to review and discuss proposed projects at a monthly public hearing before they are forwarded to City Council for final approval.

The Department is also responsible for providing economic development and housing services to the City's businesses and residents. The City of North Miami offers several programs to promote affordable housing opportunities. Deferred loans and grants are available for very low to moderate-income families who are in need of home repairs or are interested in purchasing their first home. Federal and State funding sources for the City's Housing Programs are the State Housing Initiative Partnership (SHIP) program, the Community Development Block Grant

(CDBG) program and the HOME Investment Partnership (HOME) program. The City also offers a façade grant to area business to assist in the cleaning and revitalization or commercial store fronts. If annexed the future residents and businesses of the subject area will have convenient access to these City services and programs that are located only 3 miles away from the subject area.

SPECIAL SERVICES NOT LISTED ABOVE

(k) CODE ENFORCEMENT

The City's Code Compliance Unit is part of the North Miami Police Department. As part of the police department's commitment to community service and quality of life issues the code unit strives to promote a fair and unbiased education and compliance program in order to correct violations of municipal codes and land use requirements. As part of the process Code staff work with residents, neighborhood associations, public services agencies and other City departments to address blight, nuisances, and to maintain a clean safe environment for all residents and businesses in North Miami. If annexed the subject area will also have full access to the City's Code enforcement staff in order to improve the aesthetics of the area and the quality of life for the residents.

(l) GENERAL GOVERNMENT

The City of North Miami was established in 1926 under the laws of the State of Florida and the Miami Dade County Charter and governed by an elected Mayor and four (4) elected City Council members. The proposed annexation will provide property owners closer access to their local government staff and political leaders at City Hall. **With the Miami-Dade government center being located 20 miles away and the City of North Miami's City Hall located only 2 miles away, the City believes it is more practical to annex these areas within its boundary** so the residents and businesses in the subject area can fully maximize the benefits available to local residents.

TAB F-3 Timetable for supplying the services listed above.

Service	Timetable
Police Protection	Immediate
Water	Immediate
Fire	Immediate
Sewer	As required by future development
Garbage & Refuse	Immediate
Street Lighting	Immediate
Parks	Immediate
Building & Zoning	Immediate
Planning	Immediate
Code Enforcement	Immediate
General Government	Immediate

TAB F4 - Financing of the services listed above.

Table 1 below contains estimates for those services that will be impacted by the annexation. Several services will require capital expenditure at the onset in order to appropriately service the newly annexed areas. Otherwise there are services like Parks that will not require additional capital costs in order to serve the annexed area. ***The annual cost to provide services to the subject area is $57,500.***

North Miami Annexation Area 3

Service to be Provided	Capital Costs	Annual Cost to Provide Service	Source of Funds
Police	0	0	General
Water supply & distribution	0	0	W&S
Collection and treatment of sewage	0	0	W&S
Garbage, refuse collection and disposal	0	0	Sanitation
Street Maintenance	0	55,000	General
Parks (Contractual Tree Trimming)	0	2,500	General
Totals	[illegible]	[illegible]	[illegible]

TAB F5 - Tax Load on Annexed Area 3

- The City of North Miami currently maintains a millage rate of **8.1955** (FY 11-12). The current Miami Dade millage rate is **2.2980**

  According to the Miami Dade County Property Appraiser's Office, the 2010 total ad valorem taxes assessed in Area 3 was:

Real Property	**$19,870,292**
Personal Property	**$594,291**
Total Ad Valorem	**$ 20,464,583**

- **Property tax revenue is determined by the following formula:**
  Revenue = Taxable Real & Personal Property x millage x .95/1000

  At the current County mileage rate of **2.2980**, taxable revenues to the County are approximately **$44,676**; However if the area is annexed into the City of North Miami the potential tax revenue based on the City's mileage rate of 8.1955 would be **$159,332.**

- **Projected Cost vs. Benefit to the City of North Miami – Annexation Area 3**

Annual Property Tax Revenue From Area 3 @ 8.1955 rate	Annual Cost of Providing Service	Net Gain
$159,332	*$57,600*	$ 101,832

TAB G – Certificate of the Director of the Planning and Zoning

Certificate of the Director of the Department of Planning and Zoning certifying that in the Director's sole determination an area proposed for annexation or separation having two hundred and fifty (250) or fewer registered electors is more than fifty (50) percent developed residential. This certification will determine whether an election of registered electors will be required as provided in Section 20-9.

Memorandum

Date: August 4, 2011

To: Christopher Agrippa, Transitional Division Chief
Clerk of the Board

From: Marc C. LaFerrier, AICP, Director
Department of Planning and Zoning

Subject: Certification of the City of North Miami's Proposed Annexation – Area 3

This memorandum serves to certify that, in accordance with Sec. 20-9 (a) of the Code of Miami-Dade County, I have determined that:

- The proposed annexation area, described below, is less than 50 percent developed residential. According to the 2011 land use records, as shown in the attached table and figure, there are only 18 acres of land in residential use (47.9 percent) within the proposed annexation area. The land area of the proposed annexation is approximately 37.6 acres.

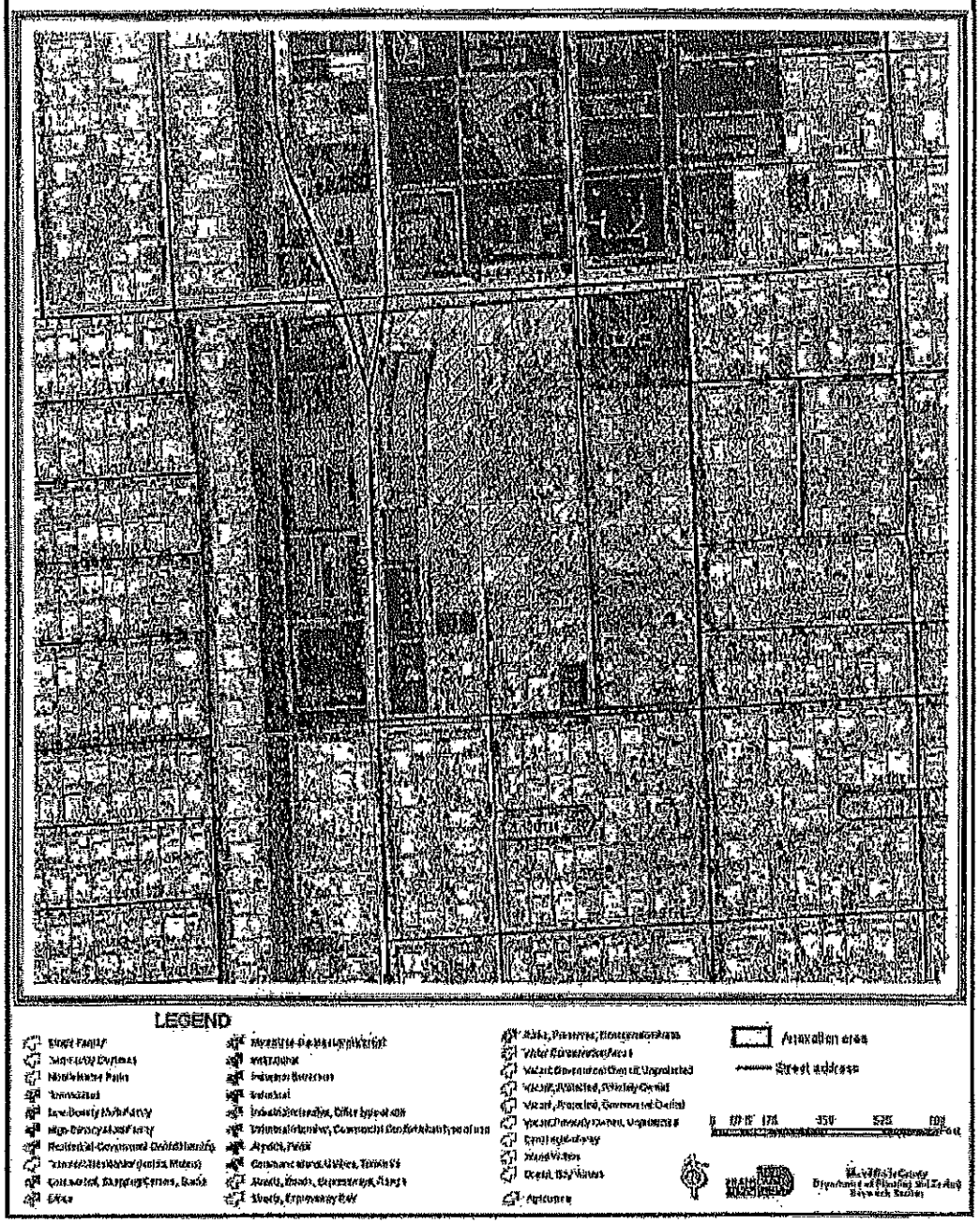
- The proposed annexation area, which is shown in the attached figure, is bounded by NE 135th Street to the north, NE 131st Street to the south, NE 4th Avenue to the east, and the Biscayne canal to the west.

Attachments

cc: Jorge Fernandez, Office of Strategic Business Management
Craig Coller, County Attorney's Office
Maxine Calloway, City of North Miami

City of North Miami
Proposed Annexation Area 3 - 2011
Existing Land Use

Land Use	Annexation Area 3 (Acres)	Annexation Area 3 (Percent Of Total)	City of North Miami (Area Acres)	City of North Miami (Percent of Total)	Miami-Dade County (Acres)	Miami-Dade County (Percent of Total)
Residential	16.0	47.9	2085.5	37.9	109900.8	8.7
Commercial & Office	1.1	3.0	246.1	4.5	12702.9	1.0
Commercial & Entertainment	0.0	0.0	0.0	0.0	916.7	0.1
Transient-Residential (hotels)	0.0	0.0	4.2	0.1	726.3	0.1
Industrial	0.0	0.0	102.5	1.9	17679.0	1.4
Institutional	4.8	12.7	307.9	5.6	14438.8	1.1
Parks/Recreation	0.1	0.3	1172.8	21.3	796907.8	62.9
Transportation, Communication, Utilities	5.3	14.1	1275.7	23.2	87254.2	6.9
Agriculture	0.0	0.0	0.0	0.0	63237.6	5.0
Undeveloped	8.2	21.8	266.3	4.8	125788.8	9.9
Inland Waters	0.1	0.2	39.0	0.7	36743.9	2.9
Total:	37.5	100.0	5,496.9	100.0	1,266,393.7	100.0

Source: Miami-Dade County Department of Planning and Zoning, Research Section August, 2011

NORTH MIAMI ANNEXATION AREA 3