

## MEMORANDUM

Agenda Item No. 8(G)(1)

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**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** November 5, 2013


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

**SUBJECT:** Resolution relating to annexation  
request of the Village of El  
Portal; providing that action be  
taken pursuant to Section 20-7(b)  
of the Code

Resolution No. R-897-13

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The accompanying resolution was prepared by the Office of Management and Budget and placed on the agenda at the request of Prime Sponsor Commissioner Audrey M. Edmonson.

  
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R. A. Cuevas, Jr.  
County Attorney

RAC/cp

**Date:** November 5, 2013

**To:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**From:** Carlos A. Gimenez  
Mayor 

**Subject:** Village of El Portal Annexation Application

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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 Village of El Portal (Village);
- Direct the County Attorney to prepare an appropriate ordinance and any additional agreements 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 Village and direct the County Attorney to prepare an appropriate ordinance and any additional agreements accomplishing the proposed boundary change.

The Village is proposing to annex two areas (Areas) adjacent to the Village's boundaries. The Areas are deemed existing enclaves as defined in Chapter 20 of the Miami-Dade County Code (Code), where approximately 80 percent of its boundaries are surrounded by one or more municipalities. Area A is fully developed and only contains Horace Mann Middle School. Area B consists of 13 folios of which six are multi-family; five are vacant; one single family and one parking lot with a total of 70 residents. The first annexation area is surrounded entirely by the Village; the other area is surrounded by the Village to the north and the City of Miami to the south.

#### **Scope**

The proposed Areas are approximately 22 acres or 0.03 square miles of the Unincorporated Municipal Service Area (UMSA).

Area A is generally bounded on the north by NW 91 Street, on the south by NW 87 Street, on the east by NW 2 Avenue, and on the west by NW 3 Avenue. This Area is fully developed and only includes Horace Mann Middle School, a Miami-Dade County Public School.

Area B is generally bounded on the north by NE 83 Court, on the south by NE 83 Street, on the east by Biscayne Boulevard and on the west by the Little River Canal. This Area consists of mostly vacant land with a zoning designation of Hotels and Motels and Multi-Family.

Both Areas are located in Commission District 3, represented by Commissioner Audrey M. Edmonson.

#### **Fiscal Impact/Funding Source**

Attachment B to the attached staff report is the "Impact to the Unincorporated Area". The Areas' taxable value is \$2.6 million. The Areas generate an estimated \$12,085 in revenue. The County spends an estimated \$39,018 per year providing services to the Areas. Therefore, the net revenue gain to the UMSA budget is an estimated \$26,933.

At the FY 2012-13 Village millage rate of 8.3 mills, the ad valorem revenues attributable to the Area would be \$21,020. At the FY 2012-13 UMSA millage rate of 1.9283 mills, the ad valorem revenues attributable to the Area would be \$4,883. The expected tax increase to the entire Area would be \$16,136

given the higher Village millage rate, and the average property owner would pay an additional \$1,241 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 \$2,214 of franchise fees and \$4,454 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 Area.

### **Background**

On February 20, 2013 the Village submitted a boundary change application to the Miami-Dade County Clerk of the Board. The application was placed on the March 5, 2013 Board meeting and was referred to the Planning Advisory Board, as required by the Code.

After reviewing the staff report provided by the Office of Management and Budget, the Incorporation and Annexation Committee of the Planning Advisory Board and the Planning Advisory Board held a public hearing on July 1, 2013, and recommended the Board approve the annexation.

It is important to note that the 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 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.

### **Charter Considerations**

On November 6, 2012, Section 6.04 B of the Miami-Dade County Charter was amended requiring the Board to consider whether commercial areas are included in the boundaries of the proposed Area to be annexed for the mere benefit of increasing the tax base of the annexing municipality.

Area A is fully developed and only includes Horace Mann Middle School, a Miami-Dade County Public School.

Area B consists of mostly vacant land with a zoning designation of Hotels and Motels and Multi-Family.

### **Code Considerations**

Pursuant to Section 20-7 of the Code, staff is to provide the Board and the Planning Advisory Board with the following information for consideration of the annexation.

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) Does the area divide a Census Designated Place, (an officially or historically recognized traditional community)?

*The proposed Areas are not within and do not divide a Census Designated Place.*

- b) Have any adjacent unincorporated areas with 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) Is the area or does it 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 areas are unincorporated enclaves. Area A is surrounded by the Village on 100 percent of its boundaries, while Area B is surrounded by the Village and the City of Miami.*

- d) Are the boundaries logical, consisting of natural, built, or existing features or Village limits?

*The boundaries of the proposed Areas are mostly logical and generally follow City limits or rights-of-way.*

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 Areas is \$2,665,782. At the current Village millage rate (8.3 mills), the ad valorem revenues attributable to the Areas would be \$21,020. At the current UMMA millage rate (1.9283 mills), the ad valorem revenues attributable to the Areas would be \$4,883 as noted in the table below. The expected tax increase to the entire Area would be an additional 6.3717 mills and \$16,136. It is important to note that Area A is a school with no taxable value, and there are 13 folios in Area B, and the average property owner would pay an additional \$1,241 if this annexation is approved.*

<b>Existing and Projected Property Tax Cost</b>		
<b>Village of El Portal</b>		
<b>FY 2012-13</b>		
	Millage Rate	Millage x Taxable Value
<b>Village of El Portal</b>		
Municipal Millage	8.3	\$21,020
<b>Unincorporated Area</b>		
UMMA Millage	1.9283	\$4,883
<b>Increase</b>	<b>6.3717</b>	<b>\$16,136</b>

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

*The proposed annexation areas are located inside the 2015 UDB of the Adopted 2015 and 2025 Land Use Plan (LUP) map of the Miami-Dade County Comprehensive Development Master Plan.*

4. What is 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 Areas is \$2,665,782. The areas generate an estimated \$12,085 in revenue. The County spends an estimated \$39,018 per year providing services to the Areas. Therefore, the net revenue gain to the UMSA budget is an estimated \$26,933.*

*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 \$2,214 and utility taxes of an estimated \$4,454 will be retained by the County.*

5. What is the fiscal impact of the proposed annexation on the remaining unincorporated areas of Miami-Dade County? Specifically, does the per capita taxable value of the area fall within the range of \$20,000 to \$48,000?

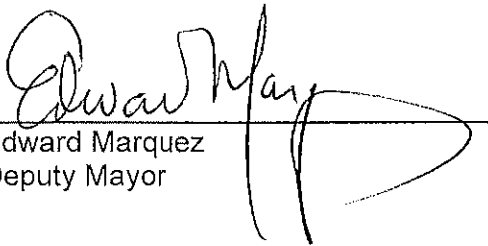
*There are 70 residents in annexation Area B. The per capita taxable value is \$38,082.*

6. Is the annexation consistent with the Land Use Plan of the County's CDMP?

*The proposed annexation Areas are isolated enclaves of unincorporated lands. Area A comprises land developed with institutional uses (the Academy for Community Education and the Horace Mann Middle School), and is completely surrounded by single family residences that are within the Village. Area B comprises residences and vacant land that abut lands within the Village to the north and the City of Miami to the south, east and west.*

*The property within Area A is designated "Low Density Residential" (2.5 to 6.0 dwelling units per gross acre), where public schools are an allowed institutional use. The properties within Area B are designated "Medium-High Density Residential" (25 to 60 dwelling units per gross acre).*

*The Application for Annexation (pg. 21) states "...The Village envisions maintaining the land use mix that currently exists." The Village's Future Land Use map shows Area A as Educational and designates the lands abutting this proposed annexation area as Single Family Residential. The land abutting Area B is designated Office Park/Light Retail on the Village's Future Land Use map. The annexation would be consistent with the CDMP if the Village re-designates the annexation areas to land use designations similar to the current CDMP LUP map designations for the areas.*



Edward Marquez  
Deputy Mayor

- Exhibit 1 – Map of Annexation Area  
Exhibit 2 – Staff Report  
Exhibit 3 – PAB Resolution  
Exhibit 4 – El Portal Annexation Application



# MEMORANDUM

(Revised)

**TO:** Honorable Chairwoman Rebeca Sosa  
and Members, Board of County Commissioners

**DATE:** November 5, 2013

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

**SUBJECT:** Agenda Item No. 8(G)(1)

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 Mayor'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)(1)

11-5-13

RESOLUTION NO. R-897-13

RESOLUTION RELATING TO ANNEXATION REQUEST OF THE VILLAGE OF EL PORTAL; PROVIDING THAT ACTION BE TAKEN PURSUANT TO SECTION 20-7(B) OF THE CODE OF MIAMI-DADE COUNTY TO EITHER DIRECT THE COUNTY ATTORNEY TO PREPARE THE APPROPRIATE ORDINANCE TO EFFECTUATE THE ANNEXATION REQUEST, DENY THE ANNEXATION REQUEST OR TO DEFER THE ANNEXATION REQUEST

**WHEREAS**, on February 20, 2013, the Village of El Portal 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 March 5, 2013; 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 Village of El Portal'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 Village of El Portal'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 directs that the County Attorney prepare the appropriate annexation request or the Board may deny the request or defer the request,

**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 Village of El Portal: The County Attorney is directed to prepare and submit to the Board of County Commissioners an ordinance to accomplish the annexation.

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

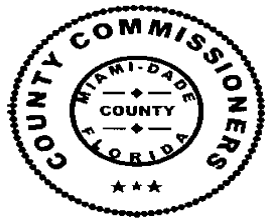
	Rebeca Sosa, Chairwoman	<b>aye</b>	
	Lynda Bell, Vice Chair	<b>absent</b>	
Bruno A. Barreiro	<b>aye</b>	Esteban L. Bovo, Jr.	<b>absent</b>
Jose "Pepe" Diaz	<b>aye</b>	Audrey M. Edmonson	<b>aye</b>
Sally A. Heyman	<b>aye</b>	Barbara J. Jordan	<b>aye</b>
Jean Monestime	<b>aye</b>	Dennis C. Moss	<b>absent</b>
Sen. Javier D. Souto	<b>aye</b>	Xavier L. Suarez	<b>aye</b>
Juan C. Zapata	<b>aye</b>		



The Chairperson thereupon declared the resolution duly passed and adopted this 5<sup>th</sup> day of November, 2013. 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: **Christopher Agrippa**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "CJS/CAE", is written over a horizontal line.

Craig H. Coller  
Cynthia Johnson-Stacks



# Memorandum



**Date:** July 1, 2013

**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 the Village of El Portal

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## Background

On February 20, 2013 the Village of El Portal (Village) 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 March 5, 2013 Board meeting and was forwarded to the Office of Management and Budget (OMB) for review and further processing, as required by the Miami-Dade County Code (Code).

## Analysis

The Village of El Portal is proposing to annex two (2) areas adjacent to the Village's boundaries. The areas, identified in the attached map as Area A and Area B respectively, are deemed existing enclaves as defined in Chapter 20 of the Miami-Dade County Code.

The proposed annexation area is approximately 22 acres or 0.03 square miles of the Unincorporated Municipal Service Area (UMSA).

Area A is generally bounded on the north by N.W. 91<sup>st</sup> Street, on the south by N.W. 87 Street, on the east by NW 2<sup>nd</sup> Avenue, and on the west by N.W. 3<sup>rd</sup> Avenue. This Area is fully developed and includes only Horace Mann Middle School, a Miami-Dade County Public School. Area A is an enclave surrounded by the Village of El Portal.

Area B is generally bounded on the north by N.E. 83 Court, on the south by N.E. 83 Street, on the east by Biscayne Boulevard and on the west by the Little River Canal. This Area consists of mostly vacant land with a zoning designation of Hotels and Motels and Multi-Family.

The annexation area is within County Commission District 3.

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

## Police

According to the application, the Village of El Portal already provides police services to the proposed annexation Area A, by virtue of being an enclave within the Village's boundaries. Currently the Village employs seven (7) full time sworn police officers and sixteen (16) part-time sworn police officers. Also, the Miami-Dade Public School Police provides additional police service at the Horace Mann Middle School.

The Village's Police Department is recommending increasing the part-time police budget to \$15,000 in order to increase patrol hours of part-time officers to focus on calls in Area B, which currently consists mainly of vacant property.

The following Miami-Dade Police Department (MDPD) tables represent all calls for uniform and non-uniform police calls within the proposed areas for calendar year 2012.

Year	Criteria	All Calls	Emergency Calls (Code 3)	Priority Calls (Code 2)	Routine Calls
2012	Total Calls	79	8	8	63

Year	Part I Crimes	Part II Crimes	Total
2012	6	4	10

Part I Crimes are 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 are all crimes not covered under Part I Crimes.

**Fire and Rescue**

The proposed annexation will not impact MDRFR service delivery and/or response times. Currently, the area is served as part of UMSA. 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 served by the same station and resources within the Fire District in an efficient and effective manner.

Existing Stations: The annexation area is presently served by Station 30 located at 9500 NW 2 Avenue in the Village of Miami Shores. Station 30 is equipped with a rescue and an engine which serves the annexation area 24 hours a day, seven days a week. The station is located less than one (1) mile from the annexation area.

Planned Stations: In an effort to minimize impact to existing service and maintain adequate travel time to incidents, the Miami-Dade Fire Rescue Department (MDFR) owns a parcel of land at 1275 NW 79 Street that will serve to construct Station 67. The construction of the fire station is undetermined at this time.

**Service Delivery – Last Three Calendar Years:**

**Area A**

	2010	2011	2012
<b>Life Threatening Emergencies</b>			
Number of Alarms	9	12	25
Average Response Time	7:22	5:25	6:28
<b>Structure Fires</b>			
Number of Alarms		1	
Average Response Time		5:04	

**Area B**

	2010	2011	2012
<b>Life Threatening Emergencies</b>			
Number of Alarms	1		2
Average Response Time	6:29		6:02
<b>Structure Fires</b>			
Number of Alarms			
Average Response Time			

Based on data retrieved during the last three calendar years, travel time to the vicinity of the proposed annexation area complies with the performance objectives of national industry. Performance objectives of national industry standards require the assembly of 15-17 firefighters on-scene within 8-minutes at 90% of all incidents.

As a condition of annexation, the Village through an interlocal agreement with the County shall agree that the proposed annexation areas remain within the Miami-Dade Fire Rescue District in perpetuity.

**Water and Sewer**

The proposed annexation areas are within the Miami-Dade Water and Sewer Department's (WASD) water and sewer service area and it will remain within the service area should the annexation be approved. Requests for future water and sewer service in the annexation areas shall be determined at the time the proposed development occurs within the Village based on the adequacy and capacity of the County's water and sewer systems at the time of the proposed development.

There are no General Obligation Bond (GOB) projects under construction within the proposed annexation areas. The Village's proposed annexation will not have an impact on the Miami-Dade County Water and Sewer Department's (WASD) ability to provide services to the remaining unincorporated area. There are no WASD Facilities of Countywide Significance in the proposed annexation areas.

**Public Works and Waste Management (PWWM)**

According to the application, "the Village provides the collection of residential and commercial solid waste via private haulers. The waste is collected and transferred to either the Northeast Transfer Station or the Resources Recovery Facility. Miami-Dade County is responsible for solid waste disposal."

In addition, the application states the Village will be responsible for hurricane preparedness and clean up for the proposed annexation areas.

**Waste Collection, Disposal and Recycling**

The Village of El Portal has entered into an interlocal agreement with the PWWM to collect and process their recyclable materials.

The Village does not have an interlocal agreement with the County regarding long-term waste disposal. Sections 20-8.4 and 15-13 of the Code require that the areas proposed for annexation

remain part of the County's waste collection service area (WCSA). The County will continue to provide service to the existing residential customers and new residents as development occurs. If the Village enters into a twenty (20) year waste disposal commitment with the County, PWWM could opt to delegate residential waste collection responsibilities to the Village for a concurrent period of twenty years (provided that the cumulative impact of annexations that have taken place since February 16, 1996 do not significantly impact the PWWM's ability to meet debt coverage requirements or to hold down the cost of collection).

#### Effect on Ability to Provide Services to UMSA

There are approximately three residential units in the annexation area, currently served by the County for garbage and recycling collection. These units will continue to be served by PWWM.

#### Street Maintenance

According to the application, "the annexation areas will be subject to the traffic, stormwater, and roadway performance standards, which include the level of service standard of the South Florida Building code. Additionally all public roads will be maintained by the PWWM, except for State roads which are maintained by the Florida Department of Transportation."

The annexation request is not expected to have any impacts on the County's ability to provide services to the remaining unincorporated area in the vicinity. Conditions regarding long-term collection and disposal of waste may be revised if the Village elects to enter into a twenty (20) year interlocal agreement, per County Code Sections 20-8.4 and 15-13. The County will continue to provide maintenance services to County designated roads.

#### **Area A:**

According to the survey provided for Area A, the annexation area does not include paved roads. Therefore, there are no lanes miles in Area A. In terms of maintenance, NW 2 Avenue from NW 87 Street to NW 91 Street is currently a County maintained road in El Portal, and the County will retain jurisdiction.

#### **Area B:**

According to the survey provided for Area B, there are approximately 0.23 lane miles in the annexation Area B. The County is not proposing to keep any of the roads in Area B. Therefore, the 0.23 lane miles would be transferred to the Village through an interlocal agreement.

#### **Department of Regulatory and Economic Resources (RER)**

A description of the services provided by the Division of Environmental Resource Management (DERM) within RER, information relating to Chapter 24 of the Code of Miami-Dade County, Florida (Code) and assessment of environmental issues with the proposed annexation are listed 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 DERM 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 CO<sub>2</sub> 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.

DERM's regulatory activities are enforceable under County Code in both incorporated and unincorporated areas, DERM currently provides the above services to the subject area. Accordingly, annexation of the parcels 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 the Village of El Portal Annexation Proposal prepared by the Village of El Portal. Accordingly, the Village has no plans to change the existing land use mix, and will continue to provide services to the area at their existing levels.

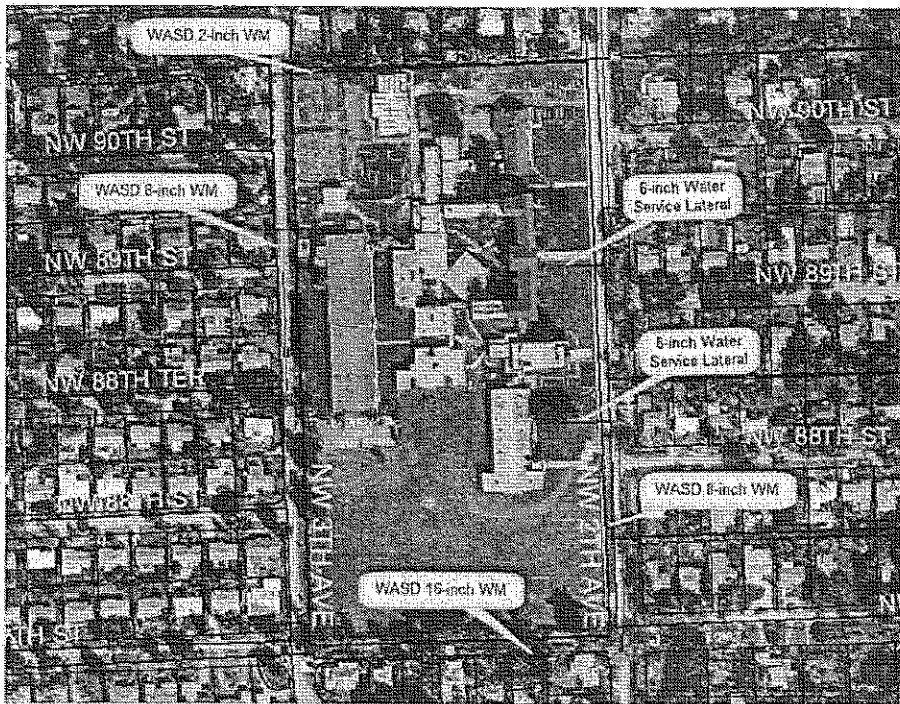
Water Supply and Distribution

**Area A:**

Area A proposed for annexation is located within the Miami-Dade Water and Sewer Department (WASD) franchised service area. There are various water distribution mains abutting the property, including 2-inch, 8-inch and 16-inch diameter pipes. There are also two 6-inch and 8-inch water service laterals located in the property.

The source of water for this area is the Hialeah Preston Water Treatment Plant, which is owned and operated by WASD, and has sufficient capacity to provide current water demand. The plant is presently producing water that meets Federal, State, and County drinking water standards.





**Area B:**

Proposed Area B is located within the WASD franchised service area. There is a 2-inch water main running along NE 4<sup>th</sup> Place and a 4-inch water main along NE 83<sup>rd</sup> Street.

The source of water for this area is the Hialeah Preston Water Treatment Plant, which is owned and operated by WASD, and has sufficient capacity to provide current water demand. The plant is presently producing water that meets Federal, State, and County drinking water standards.





Facilities for the Collection and Treatment of Sewage

**Area A:**

The proposed Area A is located within the WASD franchised service area. A 12-inch force main abuts a portion of the property along NW 3<sup>rd</sup> Avenue and an 8-inch force main extends into the property. The site is served by a private pump station (PSO-964) which is currently active.

The sewage flow generated is directed from Private Pump Station 99-964 to the North District Wastewater Treatment Plant. The Central District Wastewater Treatment Plant is owned and operated by WASD. At this time the Central District Wastewater Treatment Plant has sufficient capacity to treat current discharge.

**Area B:**

The proposed Area B is located within the WASD franchised service area. An 8-inch gravity main runs along NE 83<sup>rd</sup> Street, abutting a portion of the subject area.

The 8-inch gravity main directs the sewage flow to Pump Station 30-0049, then to 30-0002 and finally to the Central District Wastewater Treatment Plant. The sanitary sewer pump stations as well as the Central District Wastewater Treatment Plant are owned and operated by WASD. The pump stations are currently working within the mandated criteria set forth in the First and Second Partial Consent Decree. At this time the Central District Wastewater Treatment Plant has sufficient capacity to treat current discharge.

In reference to the section "Facilities for the Collection and Treatment of Sewage" in page 25 of El Portal annexation application, it is necessary to make the following observations:

1. The referenced Little Farm mobile home park is not part of the area proposed for annexation in the application.
2. The requirements of the Code for usage septic tank and drainfield for a non-residential use (Section 24-43-1(4)(b)(i)) stipulate a maximum sewage loading of 1,500 gallons per day (GPD) per acre not 1,500 GPD.
3. Additionally, any future development will be subject to the feasible distance requirements as defined by the Code.

Drainage and Flood Protection

In proposed Annexation Area A, any new parking and driveways must have a finished grade of +5.0 feet and +5.5 feet National Geodetic Vertical Datum (NGVD), in order to meet the level of service for flood protection and the County Flood Criteria requirements. In addition, the level of service for flood protection for buildings is +6.0 feet NGVD or 8 inches above crown of road for residential buildings or 4 inches above the crown of road for non-residential buildings.

Any new development in Annexation Area B shall have a minimum finish grade of +5.0 feet NGVD to meet the minimum County Flood Criteria. In addition, the level of service for flood protection of new buildings is at minimum elevation of +8.0 feet NGVD. Additionally, Area B is located adjacent to the Little River Canal. Any drainage or discharge into Little River Canal requires a Class II permit from DERM prior to the issuance of building permits by the Village.

Stormwater Utility (SWU) Program and Fees

Currently, improved properties in the proposed annexation area are paying a stormwater utility fee to the County. El Portal is part of the Miami-Dade County Stormwater Utility (Utility). Should the annexation be approved, these accounts would remain in the Utility. Through an existing Interlocal Agreement, the fees collected in the Utility are used to administer stormwater management programs within El Portal.

The County recommends that El Portal consider formally exempting from the Miami-Dade County Stormwater Utility.

Drainage Repair and Maintenance

A review of the County's Water Control Plan shows that no County secondary canals provide a drainage service to 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.

DERM issues the Surface Water Management Standard Permit (SWMSP) on behalf of the South Florida Water Management District. Jurisdiction to require a SWMSP 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 drainage in County rights-of-way.

The above requirements and authority would continue to exist in the annexed area, as it currently does in El Portal.

National Flood Insurance Program (NFIP)

The NFIP is a program that the Federal Emergency Management Agency (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. Therefore, when a municipality is incorporated, FEMA requires the municipality to apply to become an NFIP community within six months of incorporation. Any annexation area would be added to the existing municipality.

El Portal is required to report to FEMA, as part of its FEMA Biennial Report, any changes to its 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, using the best available data provided by the municipalities. 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 El Portal staff any data that would assist in modeling these areas. Cooperation between El Portal 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 (FIRM) that benefit the El Portal as well as County residents.

#### National Pollutant Discharge Elimination System (NPDES)

NPDES is a nationwide permit program that has an objective of controlling pollution that is inherent in stormwater runoff. NPDES started as a federal program, and has now been delegated to the State of Florida. 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 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 32 co-permittees (including municipalities) with Miami-Dade County as the lead agency. Because sampling of stormwater runoff is required, the County performs the sampling and all the parties to the permit cost-share the monitoring costs.

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

#### Transfer of Roads

Certain County roads located within the proposed annexation area may need to be transferred to El Portal. This can be accomplished through an Interlocal Agreement. This Agreement would outline the subject roads, various road-related services, and the responsibilities of El Portal 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 Utility Planning Division must be consulted for its comments and approval.

#### Pollution Control

There are no records of current contamination assessment/remediation or historical records of contamination assessment/remediation issues regarding non-permitted sites within the proposed annexation area.

#### Coastal and Wetlands Resources

Proposed annexation Area B lies adjacent to the C-7 Canal (the Little River Canal) along its west shoreline. Potential adverse impacts to the Federally Endangered West Indian Manatee may result from construction projects in Area B as manatees are known to frequent waters of the Little River Canal. Manatees have been injured or killed by entrapment in existing culverts

as well as roadway/culvert projects under construction within Miami-Dade County. The Miami-Dade County Manatee Protection Plan requires that all new or replacement culverts and outfalls accessible to manatees be designed to prevent entrapment of or injury to these animals. Those outfalls which are greater than 7 inches and less than 60 inches in diameter shall be covered with grates or screens with spaces less than 7 inches wide in order to prevent entrapment. New culverts installed in areas not previously accessible to manatees shall be covered with flap gates or other devices designed so as not to cause injury to manatees, and to prevent the animals from entering the outfall including during construction.

The State of Florida Fish and Wildlife Conservation Commission (FWC) requires that all work proposed in waters known to host manatees comply with FWC's Standard Manatee Conditions for In-Water Work. DERM recommends strict adherence to these conditions.

Construction projects along Area B should employ turbidity barriers and means of containment so materials from construction projects do not enter surface waters of the Little River Canal. Any containment systems to be installed in waters of these canals should be designed to account for tidal and wind influence.

There are no freshwater wetlands as defined by Section 24-5 of the Code within Areas A and B; however pursuant to Section 24-48 of the Code, a Class I Permit is required for any work within coastal wetlands or for any work to cut, trim or alter mangroves anywhere in Miami-Dade County. Prior to commencing any such work, please contact the Coastal and Wetlands Resources Section at (305) 372-6575 for information about obtaining the required Class I Permit.

Permits from the Army Corps of Engineers (305-526-7181), the Florida Department of Environmental Protection (561-681-6600) and the South Florida Water Management District (1-800-432-2045) may be required for construction projects in proposed Annexation Area B. It is the applicant's responsibility to contact these agencies.

Applicant is advised to contact the Coastal and Wetlands Resources Section of DERM (305-372-6575) if further information is required.

#### Tree Preservation

A Miami-Dade County Tree Removal/Relocation Permit is required prior to the removal and/or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Tree Removal Permits shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code. Annexation areas A and B may contain specimen-sized trees (trunk diameter 18 inches or greater). Section 24-49.2(II) of the Code requires that specimen-sized trees be preserved whenever reasonably possible. Please contact the Tree Permitting Program at 305-372-6600 for additional information regarding permitting procedures.

#### Air Quality

This application does not propose changes to zoning, or Comprehensive Development Master Plan land use designation areas for the two areas in question. It is mainly a change of jurisdictional authority from the Miami-Dade County to the Village of El Portal. Therefore, no inconsistency with applicable federal, state and local air quality regulatory criteria is foreseen in this annexation request.

However, 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 RER and the FDEP to determine which intersections and parking facilities need to be modeled, as well as the analysis parameters.

Any improvements that will effectively reduce congestion and travel time will facilitate a reduction in vehicular emissions and positively impact local air quality. Consequently, DERM requests that the village submit for review future studies on proposed development projects impact on local roads, wetlands, historic sites, etc.

The Transportation Element of the Miami-Dade County CDMP states that Miami-Dade County shall:

1. Promote mass transit alternatives to the personal automobile, such as rapid transit, fixed route bus and paratransit<sup>1</sup> services. (TE-1A.)
2. Seek to ensure that updated plans provide high quality intermodal connections at optimal transfer points. (TE-1C.)
3. Pursue and support transportation programs that will help to maintain or provide necessary improvement in air quality and which help conserve energy. (TC-6E.)

According to the annexation application, the Village will maintain the required level of service.

Finally, demolition, removal and/or renovation of any existing structure(s) and/or underground utilities, resulting from the implementation of any future development(s), will require asbestos survey from a Florida-licensed asbestos consultant, 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 DERM 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.

#### **Parks, Recreation and Open Spaces**

There are no Miami-Dade County parks within the proposed El Portal 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.

<sup>1</sup> Refers to specially equipped vehicles for the transportation of persons with disabilities.

1. Does the annexation divide a historically recognized community?

The proposed annexation areas are not within and do not divide a Census Designated Place (CDP).

2. If approved, will the annexation result in an area that is compatible with existing planned land uses and zoning of the municipality to which the area is proposed to be annexed?

Area A is zoned RU-3 (Four Unit Apartment House District) and is developed with educational facilities. The abutting lands within the Village are zoned RSF (Single-Family Residential District) and developed with single family residences. The existing and planned land uses on abutting land within the Village are compatible with the proposed annexation area.

Area B is zoned RU-4A (Hotel Apartment House District) and existing land uses in the annexation area include single and multi-family residences and vacant sites. The existing land use on the abutting land within the Village is a mobile home park zoned B-1 (Business District), which is compatible with the existing uses in the Village. The residential uses within Area B are also generally compatible with the planned land uses on abutting land within the Village.

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?

**Area A:**

8950 NW 2 Ave, Horace Mann Middle School, is currently not located in or immediately adjacent to the Miami-Dade County Enterprise Zone. It does not currently receive, nor is eligible for state enterprise zone incentives.

Area A is not eligible for Qualified Target Industry Program (QTI) and Brownfield state incentives, or the County's Targeted Jobs Incentive Fund (TJIF) program.

**Area B:**

Area B currently abuts the Miami-Dade County Central Enterprise Zone, but is not located in the enterprise zone and currently does not receive state enterprise zone incentives.

Parcels in Area B (30-3207-020-0180 & 30-3207-020-0190) are within ¼ mile of three contaminated sites, however the parcels are not currently designated as brownfields and do not receive brownfield incentives. There are designated Brownfield sites located in the Miami-Dade Central Enterprise Zone, within ¼ mile of Area B. Should Area B be developed in accordance to QTI and/or TJIF program criteria, the area would be eligible for the aforementioned benefits.

Village of El Portal

Based on the most recent census data, the Village does not meet the HUD Entitlement Grantee criteria of having a minimum population of 50,000. The Village will continue to

be eligible to apply to Miami-Dade County for Community Development Block Grant (CDBG) funds subject to compliance with all program rules.

Currently, the Village is not in the Enterprise Zone.

4. Will the annexation impact public safety response times?

Fire and Rescue: The Village is within the Miami-Dade County Fire Rescue District. If the annexation is approved, it will not impact MDFR service delivery and/or response time. If the annexation is approved, this area would be served by the same station and resources within the Fire District.

Police: In the event the annexation application is successful, the total service area within UMSA will be minimally reduced. Conversely, departmental resources may need to be reallocated from the annexed area to the remaining portions of UMSA. As a result of this reallocation, response times within UMSA would be reduced accordingly. However, due to continual incorporation and annexation endeavors, the full impact upon the UMSA is yet to be determined.

5. Will the annexation introduce barriers to municipal traffic circulation due to existing security taxing districts, walled communities, and/or private roads?

The Miami-Dade County Public Works and Waste Management Department does not anticipate barriers to municipal traffic circulation or traffic related impacts with this annexation. However, the Department recommends input from the Miami-Dade County Public School Board, since the Horace Mann Middle School is located near the NW 2 Avenue and NW 89 Street intersection, within the requested annexation Area A.

6. Will the annexation area be 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 State law effective July 1, 2007, Miami-Dade County no longer has 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 Code. A list of new cable franchise certificates that may affect Miami-Dade County's rights-of-way can be found at the following site: <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 are responsible for managing their 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. Has the area has been identified by the Federal Government as a flood zone or by emergency planners as an evacuation zone, has the existing municipality indicated its preparedness to address any extraordinary needs that may arise?

The Village has indicated its future responsibility for hurricane preparedness and subsequent clean up for the proposed annexation areas.

A portion of Area A and the entirety of Area B are located within the federally designated 100-year floodplain. These areas will flood under sustained rains and property owners within them are required to obtain flood insurance.

The proposed annexation areas are not located within any County designated hurricane evacuation zone and residents of the areas are not obligated to evacuate when hurricane warnings are issued.

8. Will the annexation area be connected to municipal government offices and commercial centers by public transportation?

The proposed annexation areas are connected by public transportation to municipal government offices and commercial centers via existing Metrobus service located within a half mile of the proposed annexation areas.

The following Metrobus routes are located within walking distance (half mile or less) of proposed annexation areas:

Area A: Route 2, 33, 95 (Golden Glades Express), 95 (Dade-Broward Express), and 202 (Little Haiti Connection).

Area B: Route 2, 3, 9, 10, 16, 33, 79, 112 (L), 202 (Little Haiti Connection).

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 areas are contained within the same school district boundaries as the adjoining areas of unincorporated Miami-Dade County and the Village of El Portal. The schools serving the proposed annexation areas are: Phyllis R. Miller Elementary, Hubert O. Sibley K-8 Center, Horace Mann Middle, and Miami Edison Senior High.

The existing land use and current uses on Area A do not contain residential uses. Therefore, Area A does not have an impact on public school facilities.



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) Does the area divide a Census Designated Place, (an officially or historically recognized traditional community)?

The proposed annexation areas are not within and do not divide a Census Designated Place.

- b) Have any adjacent unincorporated areas with 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) Is the area or does it 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 areas are unincorporated enclaves. Area A is surrounded by the Village of El Portal on 100 percent of its boundaries, while Area B is surrounded by the Village of El Portal and the City of Miami.

- d) Are the boundaries logical, consisting of natural, built, or existing features or Village limits?

The boundaries of the proposed annexation areas are mostly logical and generally follow City limits or rights-of-way.

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 \$2,665,782. At the current Village of El Portal millage rate (8.3 mills), the ad valorem revenues attributable to the annexation area would be \$21,020. At the current UMMSA millage rate (1.9283 mills), the ad valorem revenues attributable to the annexation area would be \$4,883 as noted in the table below. The expected tax increase to the entire annexation area would be an additional 6.3717 mills and \$16,136. It is important to note that Area A is a school with no taxable value, and there are 13 folios in Area B, and the average property owner would pay an additional \$1,241 if this annexation is approved.

Existing and Projected Property Tax Cost		
Village of El Portal FY 2012-13		
	Millage Rate	Millage x Taxable Value
<b>El Portal</b>		
Municipal Millage	8.3000	\$21,020
<b>Unincorporated Area</b>		
UMSA Millage	1.9283	\$4,883
<b>Increase</b>	<b>6.3717</b>	<b>\$16,136</b>

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

The proposed annexation areas are located inside the 2015 UDB of the Adopted 2015 and 2025 Land Use Plan (LUP) map of the Miami-Dade County Comprehensive Development Master Plan.

4. What is 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 \$2,665,782. The area generates an estimated \$12,085 in revenue. The County spends an estimated \$39,018 per year providing services to the area. Therefore, the net revenue gain to the UMSA budget is an estimated \$26,933 (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 \$2,214 and utility taxes of an estimated \$4,454 will be retained by the County.

5. What is the fiscal impact of the proposed annexation on the remaining unincorporated areas of Miami-Dade County? Specifically, does the per capita taxable value of the area fall within the range of \$20,000 to \$48,000?

There are 70 residents in the annexation area. The per capita taxable value is \$38,082.

6. Is the annexation consistent with the Land Use Plan of the County's CDMP?

The proposed annexation areas are isolated enclaves of unincorporated lands. Area A comprises land developed with institutional uses (the Academy for Community Education and the Horace Mann Middle School), and is completely surrounded by single family residences that are within the Village of El Portal. Area B comprises residences

and vacant land that abut lands within the Village to the north and the City of Miami to the south, east and west.

The property within Area A is designated "Low Density Residential" (2.5 to 6.0 dwelling units per gross acre), where public schools are an allowed institutional use. The properties within Area B are designated "Medium-High Density Residential" (25 to 60 dwelling units per gross acre).

The Application for Annexation (pg. 21) states "...The Village envisions maintaining the land use mix that currently exists." The Village's Future Land Use map shows Area A as Educational and designates the lands abutting this proposed annexation area as Single Family Residential. The land abutting Area B is designated Office Park/Light Retail on the Village's Future Land Use map. The annexation would be consistent with the CDMP if the Village re-designates the annexation areas to land use designations similar to the current CDMP LUP map designations for the areas.

#### Demographic Profile of the Areas

As shown on the table below, the estimated 2010 Census population of the proposed annexation areas is 70, while the Village of El Portal's population is 2,325. Area A has zero population, therefore all the population is located in Area B. Table 1 also shows that approximately 69 percent of the population within the proposed annexation areas is Black, not Hispanic, while approximately 47 percent of the population within the municipal boundaries is of Black, not Hispanic, origin.

**Table 1**  
**Village of El Portal Proposed Annexation Areas A and B**  
**Demographic and Economic Characteristics**  
**Village of El Portal and Miami-Dade County, 2010**

	Study Area Estimates	City of El Portal	Miami-Dade
<u>Population Characteristics, 2010:</u>	70	2,325	2,496,435
Percent White, Not Hispanic	8.5%	19.0%	15.4%
Percent Black, Not Hispanic	68.6%	47.6%	17.1%
Percent Other, Not Hispanic	0.0%	4.9%	2.5%
Percent Hispanic	22.9%	28.6%	65.0%
<u>Income*</u>			
Median Household Income	\$ 57,279	\$ 63,914	\$ 43,957
Per-capita Income	\$ 32,476	\$ 32,540	\$ 23,348
<u>Housing</u>			
Total Housing Units	56	939	989,435

Source: U.S. Census Bureau, Census 2010, Summary File 1, Table P2; ACS 2007-2011, Tables B19013 and B19301; and Miami-Dade County, Regulatory and Economic Resources Department, Planning Research Section, April 2013.

\* Estimates for median household income and per-capita income are based on the U.S. Census Block Group that the proposed annexation areas are contained within.

### Development Profile of the Areas

Shown in the table below is the 2013 land use profile for the proposed annexation area. Approximately 74 percent of the 22 acres in the proposed annexation area is in institutional use; 13 percent is undeveloped; and 11 percent in residential use.

In comparison, the table below also shows that approximately 74 percent of the proposed annexation area is in institutional use, while one percent of the land within the Village of El Portal is in institutional use. Approximately 13 percent of the land within the proposed annexation areas is undeveloped, while less than one percent of the Village's land is undeveloped. Within the proposed annexation areas, approximately 11 percent of the land is in residential use, while 69 percent of the land within the Village is in that use. In addition, two percent of the proposed annexation areas are in transportation, communication and utilities use, while 28 percent of the land within the Village is in transportation, communication and utilities use.

Village of El Portal Proposed Annexation Areas A and B  
2013 Existing Land Use

Land Use	Annexation Areas (Acres)	Annexation Areas (Percent of Total)	Village of El Portal (Acres)	Village of El Portal (Percent of Total)	Miami-Dade County (Acres)	Miami-Dade County (Percent of Total)
Residential	2.4	10.8	167.1	68.5	111,060.5	8.8
Commercial & Office & Transient						
Residential	0.1	0.3	2.5	1.0	14,486.5	1.1
Industrial	0.0	0.0	1.2	0.5	17,792.1	1.4
Institutional	16.5	74.1	2.9	1.2	14,561.8	1.1
Parks/Recreation/Conservation	0.0	0.0	0.0	0.0	833,384.7	65.8
Transportation, Communication, Utilities	0.5	2.0	68.5	28.1	87,403.9	6.9
Agriculture	0.0	0.0	0.0	0.0	63,532.4	5.0
Undeveloped	2.9	12.8	1.8	0.7	87,150.9	6.9
Inland Waters	0.0	0.0	0.0	0.0	36,937.2	2.9
<b>Total:</b>	<b>22.3</b>	<b>100.0</b>	<b>243.9</b>	<b>100.0</b>	<b>1,266,309.9</b>	<b>100.0</b>

Source: Miami-Dade County Department of Regulatory and Economic Resources (RER), Planning Research Section - April 18, 2013.

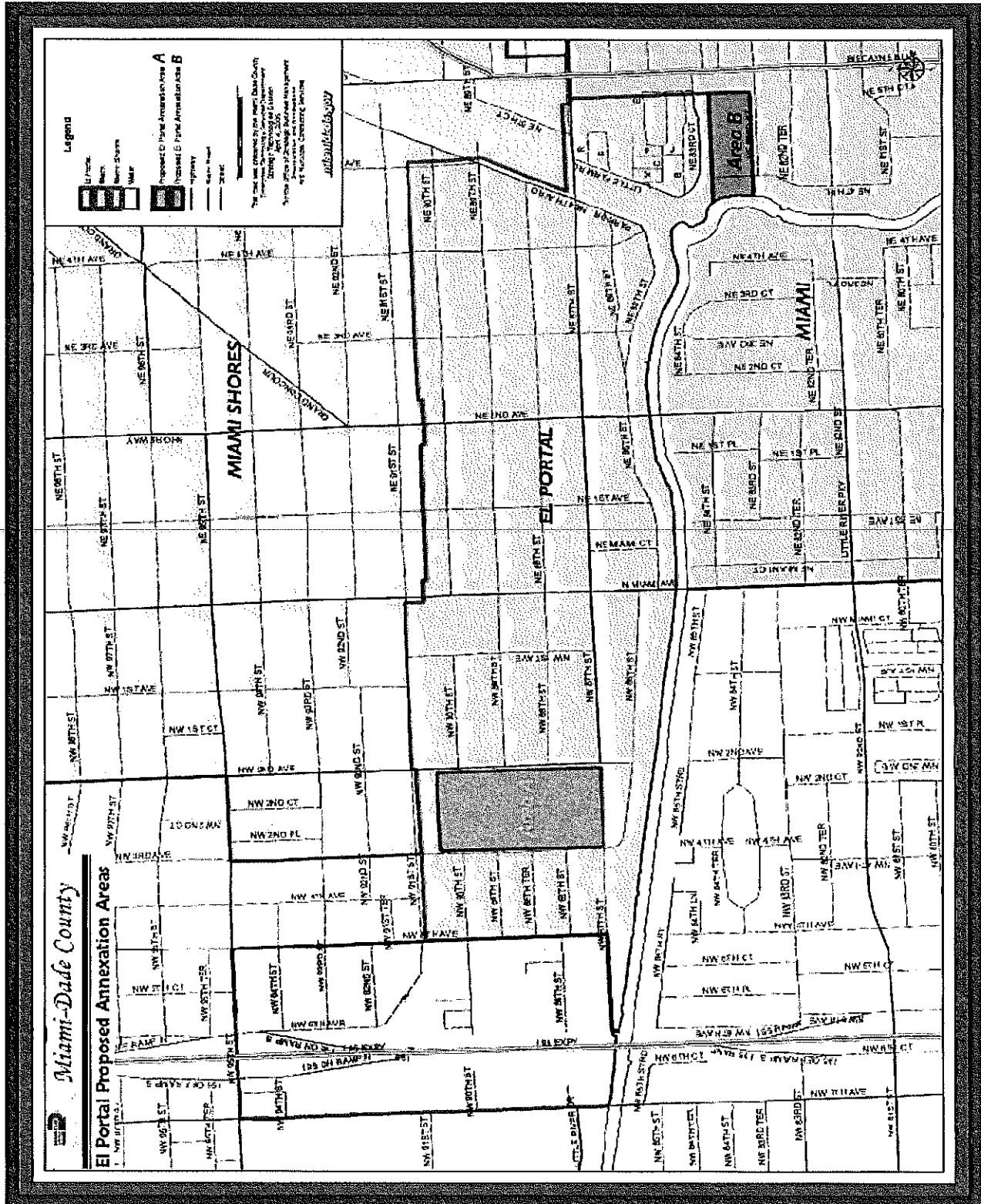
**Summary of Issues for Consideration**

1. The proposed annexation areas are isolated enclaves of unincorporated lands.
2. The area should remain within the Miami-Dade Fire Rescue District in perpetuity.
3. The County recommends that El Portal consider formally exempting from the Miami-Dade County Stormwater Utility.
4. The County will retain jurisdiction of NW 2 Avenue from NW 87 Street to NW 91 Street, the remaining 0.23 lane miles in the annexation Area B will be transferred to the Village through an interlocal agreement.
5. County records indicate the following zoning covenants on properties within the proposed annexation areas:
  - Folio No. 30-3101-012-0010: Resolution No. 4267 restricting the use of the property to school purposes
  - Folio No. 30-3207-020-0130: Unity of Title
  - Folio No. 30-3207-020-0120: Agreement/Covenant
  - Folio No. 30-3207-020-0200: Declaration of Restrictions

Attachments:

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

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



## Estimated Impact on UMSA Budget

Based on FY 12-13 Budget	Annexation Assumptions	
Property Tax Revenue	Allocation based on tax roll & millage	\$5,000
Franchise Fees	County Retains Revenues	
Sales Tax	Allocation based on \$58.94 per person	\$4,578
Utility Taxes	County Retains Revenues	
Communications Tax	Allocated based on tax roll/population	\$2,234.72
Alcoholic Beverage License	Allocation based on \$0.23 per person	\$16
Occupational License	Allocation based on \$1.80 per person	\$126
Interest	Allocation based on .16% of total revenue	\$19
Miscellaneous Revenues	Allocation based on \$1.55 per person	\$110
Revenue to UMSA		\$12,085
Cost of Providing UMSA Services		
Police Department		\$30,505
UMSA Police Budget (without specialized)		
Park and Recreation Dept	Based on cost of parks	\$0
Public Works		
	Centerline Miles	Centerline miles times cost per lane mile
		\$429
Planning, Code Compliance and others	Direct cost times 14.1%	\$4,362
NIP (pay-as-you-go)	Utility Taxes as a % of debt service 16%	\$0
Policy Formulation/Internal Support	Direct cost times 12%	\$3,721
Cost of Providing UMSA Services		\$39,018
Net to UMSA		(\$26,933)
Does not include gas tax funded projects		
Does not include canal maintenance revenues or expenses		
Does not include proprietary activities: Building, Zoning, Solid Waste		
Does not include Fire and Library Districts		
Revenues are based on allocations not actuals		
Disclaimer: These calculations do not represent a projected or suggested municipal budget. They indicate only the fiscal impact of this area's incorporation on the remaining UMSA.		
2012 Taxable Property Rolls (Area)		\$2,665,782
2010 Area Census Population		70
2011 UMSA Population		1,103,125
2012-13 UMSA Millage		1.9283
Controllable Sq. Miles - UMSA (post Cutler Bay)		207.90
Total Calls For Service - UMSA 2012		615,684
Part 1 Crimes - UMSA 2012		51,222
Part 2 Crimes - UMSA 2012		22,889
Controllable Sq. Miles - Study Area		0.034
Total Calls for Service - Study Area		79
Part 1 Crimes - Study Area		6
Part 2 Crimes - Study Area		4
Cost per Centerline Mile		\$1,866
Number of Centerline Miles		0.23
Per Capita Taxable Value		\$38,082.60

RESOLUTION OF THE MIAMI-DADE COUNTY PLANNING ADVISORY BOARD RECOMMENDING THAT THE BOARD OF COUNTY COMMISSIONERS APPROVE THE PROPOSED ANNEXATION TO THE VILLAGE OF EL PORTAL

WHEREAS, the Village of El Portal has petitioned for the annexation of the areas generally described below:

Boundaries: Area A: On the north NW 91st Street, on the south NW 87th Street, on the east NW 2nd Avenue and on the west NW 3rd Avenue

Area B: On the north NE 83rd Court, on the south NE 83rd Street, on the east Biscayne Boulevard and on the west the little river Canal

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 July 1, 2013; and

WHEREAS, on July 1, 2013, the Planning Advisory Board's Incorporation and Annexation Committee held an advertised public meeting, concerning this application for annexation by the Village of El Portal; and

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

WHEREAS, on July 1, 2013, the Planning Advisory Board held an advertised public hearing, concerning this application by the Village of El Portal;

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 Village of El Portal.

The forgoing resolution was offered by Board Member Georgina Santiago, who moved its adoption and was seconded by Board Member Aida Bao-Garciga, and upon being put to a vote the vote was as follows:

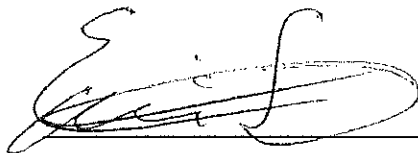
Carla Ascencio-Savola	Absent	Raymond Marin	Yes
Aida Bao-Garciga	Yes	Robert Meador	Absent
Jose Bared	Absent	Javier Munoz	Yes
Peter DiPace	Yes	William Riley	Absent
Horacio Huembes	Absent	Georgina Santiago	Yes
Joseph James	Yes	Jesus Vazquez	Absent
Serafin Leal	Yes	Paul Wilson	Absent

Wayne Rinehart, Chair Yes



The Chair thereupon declared the resolution duly passed and adopted this 1<sup>st</sup> day of July 2013.

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

A handwritten signature in black ink, appearing to read "Eric Silva", is written over a horizontal line. The signature is stylized and cursive.

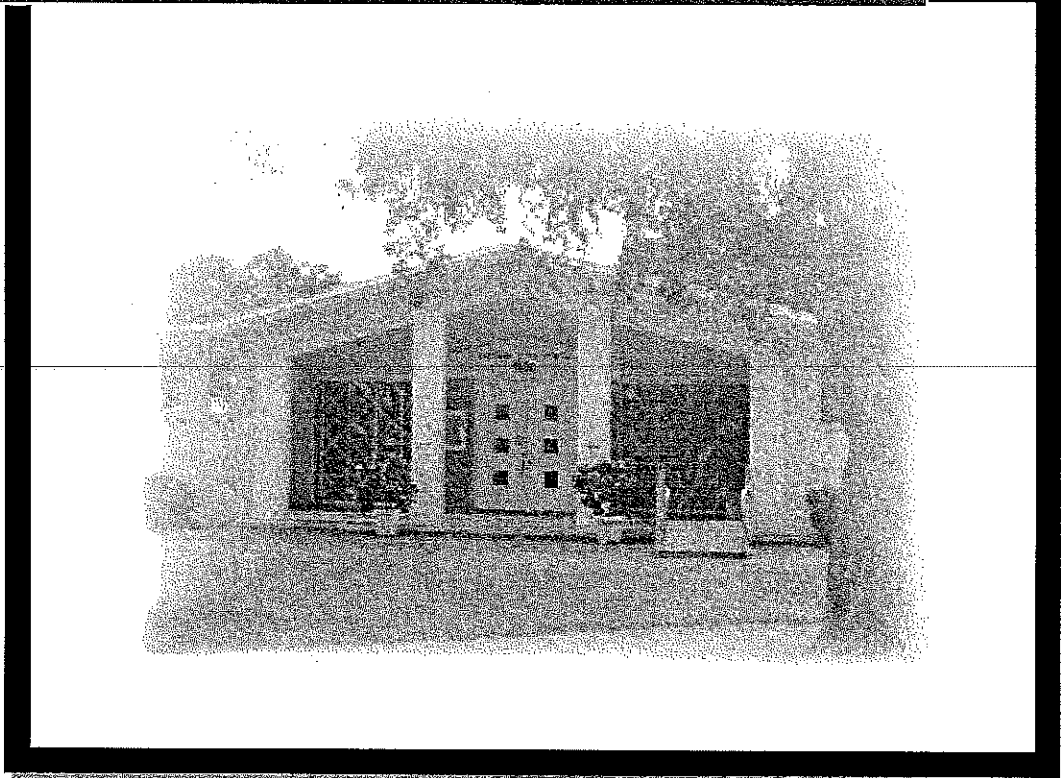
Eric Silva - Assistant Director  
Regulatory and Economic Resources

# APPLICATION FOR ANNEXATION

Clerk of the Board  
Stephen P. Clark Center  
111 NW First Street, Suite 17-202  
Miami, Florida 33128

# 2013

## VILLAGE OF EL PORTAL



500 NE 87<sup>TH</sup> Street,  
El Portal, FL  
Phone: (305) 795-7880  
Fax: (305) 795-7884

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## EXECUTIVE SUMMARY

The Village of El Portal is applying to annex two (2) locations adjacent to the Village. The land is fully developed and consists of primarily properties zoned 8000 Community Facilities, 5000 Hotels and Motels, and vacant property. In the future these parcels will remain as their present land uses.

Currently, the City of Miami and the Village of Miami Shores are the only bordering municipalities materially affected by our proposal.

The Village has provided a complete analysis of potential services needed to serve the annexation areas as well as a cost analysis for providing these services. Since the two (2) areas are relatively small and the Village is already servicing the Area in which Horace Mann Middle School is located, service will be presented as one area in this application.

# RESOLUTION

First reading: July 28, 2012  
Adopted:

## RESOLUTION NO. 2012-022 ANNEXATION APPLICATION

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA OF MIAMI-DADE COUNTY, AUTHORIZING THE VILLAGE MANAGER TO SUBMIT NECESSARY DOCUMENTS, AND INITIATING A REQUEST TO CHANGE THE BOUNDARIES OF THE VILLAGE OF EL PORTAL, THROUGH THE VILLAGE OF EL PORTAL ANNEXING PROPERTY LEGALLY DESCRIBED AS ALL OF SECTION 1, TOWNSHIP 53 SOUTH, RANGE 41 EAST, OF MIAMI-DADE COUNTY FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE SOUTH 1171.8 FEET MORE OR LESS OF THE EAST 605.5 FEET MORE OR LESS OF SAID TRACT 2 OF "AMENDED PLAT A PORTION OF MIAMI SHORES SECTION 6" AS RECORDED IN PLAT BOOK 35 OF PAGE 25 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; AND SECTION 7, TOWNSHIP 53 SOUTH, RANGE 42 EAST, OF MIAMI-DADE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: ALL OF LOT 4 OF "TUTTLES SUBDIVISION" AS RECORDED IN PLAT BOOK B OF PAGE 3 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; EXCEPT THE EAST 185.00 FEET, OF MIAMI DADE COUNTY, FLORIDA; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to section 5.04 of the Miami Dade County Home Rule Charter and Section 20-3 of the Code of Miami Dade County, the Village of El Portal ( the "Village") initiated a proposed boundary change by and through Resolution No. 2012-022 after public hearing on July 28, 2012, upon mailed notice provided to all affected property owners within 600 feet of the proposed boundaries and notice provided by publication; and

WHEREAS, the Village Council conducted a public hearing that was properly noticed in accordance with the requirements of Section 20-3 of the Code of Miami Dade County; and

WHEREAS, the Village Council has determined that the annexation of the areas legally described as Section 1, Township 53 South, Range 41 East, of Miami-Dade County Florida, more particularly described as follows: The South 1171.8 feet more or less of the East 605.5 feet more or less of said Tract 2 of "Amended Plat a Portion of Miami Shores Section 6" as recorded in Plat Book 35 of Page 25 of the Public Records of Miami-Dade

County, Florida; and Section 7, Township 53 South, Range 42 East, of Miami-Dade County, Florida, more particularly described as follows: All of lot 4 of "Tuttles Subdivision" as recorded in plat book B of Page 3 of the Public records of Miami-Dade County, Florida; except the East 185.00 feet is necessary, appropriate, and in the best interests of the Village and its citizens.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, AS FOLLOWS:**

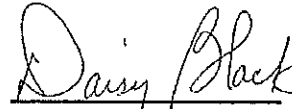
**Section 1.** The above recitals are true and correct and are incorporated herein by this reference.

**Section 2.** The Village of El Portal Council hereby approves the extension and enlargement of the Village's boundaries to include the area legally described as Section 1, Township 53 South, Range 41 East, of Miami-Dade County Florida, more particularly described as follows: The South 1171.8 feet more or less of the East 605.5 feet more or less of said Tract 2 of "Amended Plat a Portion of Miami Shores Section 6" as recorded in Plat Book 35 of Page 25 of the Public Records of Miami-Dade County, Florida; and Section 7, Township 53 South, Range 42 East, of Miami-Dade County, Florida, more particularly described as follows: All of lot 4 of "Tuttles Subdivision" as recorded in plat book B of Page 3 of the Public records of Miami-Dade County, Florida; except the East 185.00 feet, and authorizes the initiation of municipal boundary change procedures pursuant to Section 5.04 of the Miami Dade County Home Rule Charter and Chapter 20 of the Code of Miami Dade County

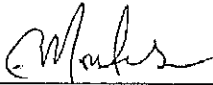
**Section 3.** The Village Council hereby affirms its request to the Board of County Commissioner of Miami-Dade County, Florida, to adopt an appropriate ordinance approving the request of the Village for the annexation of the lands legally described as Section, 1, Township 53 South, Range 31 East, of Miami Dade County, Florida; and Sections 1, and 12, Township 53 South, Range 41 East, of Miami Dade County; and Section 7, Township 53 South, Range 42 East, of Miami Dade County, Florida

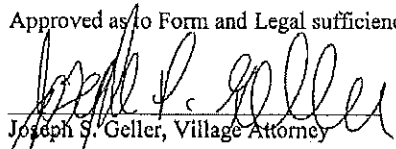
**Section 4.** This resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED by the Village Council of the Village of El Portal, Florida, this 28<sup>TH</sup> day of JULY, 2012.



Daisy Black, Mayor

ATTEST:   
Carolina Montealegre, Interim Village Clerk

Approved as to Form and Legal sufficiency:  
  
Joseph S. Geller, Village Attorney

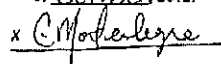
Moved by: Councilperson Linda Marcus

Seconded by: Councilperson Omar Nickerson

Vote:

Mayor Black:  (Yes)  (No)  
Councilperson Cubillos:  (Yes)  (No) Absent  
Councilperson Nickerson:  (Yes)  (No)  
Councilperson Marcus:  (Yes)  (No)  
Councilperson Mathis, Jr.:  (Yes)  (No) Absent

I, Carolina Montealegre, Interim Village Clerk of the Village of El Portal, Miami-Dade County, Florida, do hereby certify that this is a true and correct copy of Resolution No.: 2012-022 adopted on July 28<sup>th</sup>, 2012, as shown in the Official Records of the Village of El Portal, Miami-Dade County, Florida. Given under my hand and seal, this 5<sup>th</sup> day of October, 2012.

x 

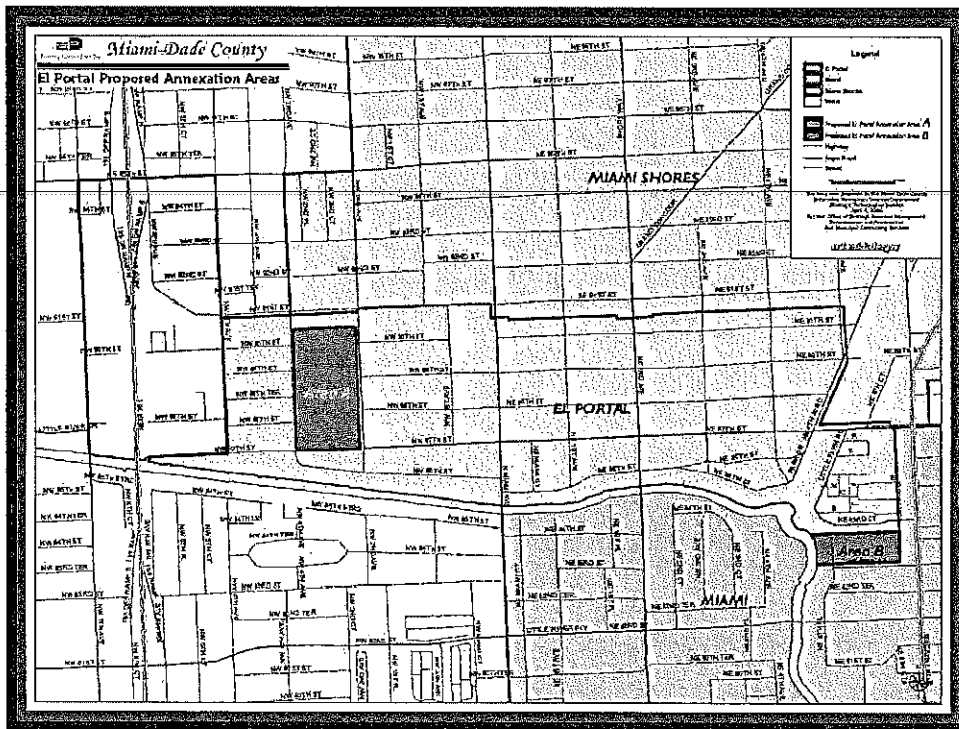
# NOTICE OF PUBLIC HEARING

Figure 1



## Village of El Portal NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Saturday, July 28, 2012**, the Village Council of El Portal will hold a Public Hearing at 1:00 P.M. at the **Village of EL Portal, Village Hall, Council Chambers located at 500 N.E. 87<sup>th</sup> ST, El Portal, FL**; pursuant to the Miami-Dade County Charter Section 5.04 and the Miami-Dade County Ordinances, Section 20-3, to consider annexation and enactment of a Resolution concerning the annexation of certain land depicted in the following map. All interested parties are urged to attend the meeting and be heard.



### Legal Description:

Area A is a portion of land lying in Section 1, Township 53 South, Range 41 East, of Miami-Dade County Florida, more particularly described as follows:  
The South 1171.8 feet more or less of the East 605.5 feet more or less of said Tract 2 of "Amended Plat a Portion of Miami Shores Section 6" as recorded in Plat Book 35 of Page 25 of the Public Records of Miami-Dade County, Florida.



Area B is a portion of land lying in Section 7, Township 53 South, Range 42 East, of Miami-Dade County, Florida, more particularly described as follows:  
All of lot 4 of "Tuttles Subdivision" as recorded in plat book B of Page 3 of the Public records of Miami-Dade County, Florida; except the East 185.00 feet.

*Information relating the subject application is on file and may be examined in the Village of El Portal, Planning and Zoning Department Located at 500 NE 87<sup>th</sup> ST, El Portal, Florida. All persons are invited to appear at this meeting or be represented by an agent, or to express their views in writing addressed to the Village Clerk, 500 NE 87<sup>th</sup> ST, El Portal, Florida 33138. The courts have ruled that it is improper to contact a Village Council member individually, either orally or in writing about any zoning application. Maps and other data pertaining to these applications are available for public inspection during normal business hours in Village Hall. Any persons wishing to speak at a public hearing should register with the Village Clerk prior to that item being heard. Inquiries regarding the item may be directed to the Planning and Zoning Department at 305-795-7880.*

*Pursuant to Section 286.0105, Florida Statutes If a person decides to appeal any decisions made by the Village Council with respect to any matter considered at such meeting or hearing, they will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the Village for introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law. In accordance with the Americans with Disabilities Act, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Planning and Zoning Department at 305-795-7880 no later than 48 hours prior to the proceeding.*

Carolina Montealegre  
Interim Village Clerk  
Village of El Portal

---

## LEGAL DESCRIPTION

The following legal descriptions indicate the proposed boundaries for the annexation areas. The next section in this document contains the figures for the Location Map and Map of Survey for each parcel.

Parcel 1 (Area A) is a portion of land lying in Section 1, Township 53 South, Range 41 East, of Miami-Dade County Florida, more particularly described as follows:

The South 1171.8 feet more or less of the East 605.5 feet more or less of said Tract 2 of "Amended Plat a Portion of Miami Shores Section 6" as recorded in Plat Book 35 of Page 25 of the Public Records of Miami-Dade County, Florida.

*(See Figure 2)*

Parcel 3 (Area B) is a portion of land lying in Section 7, Township 53 South, Range 42 East, of Miami-Dade County, Florida, more particularly described as follows:

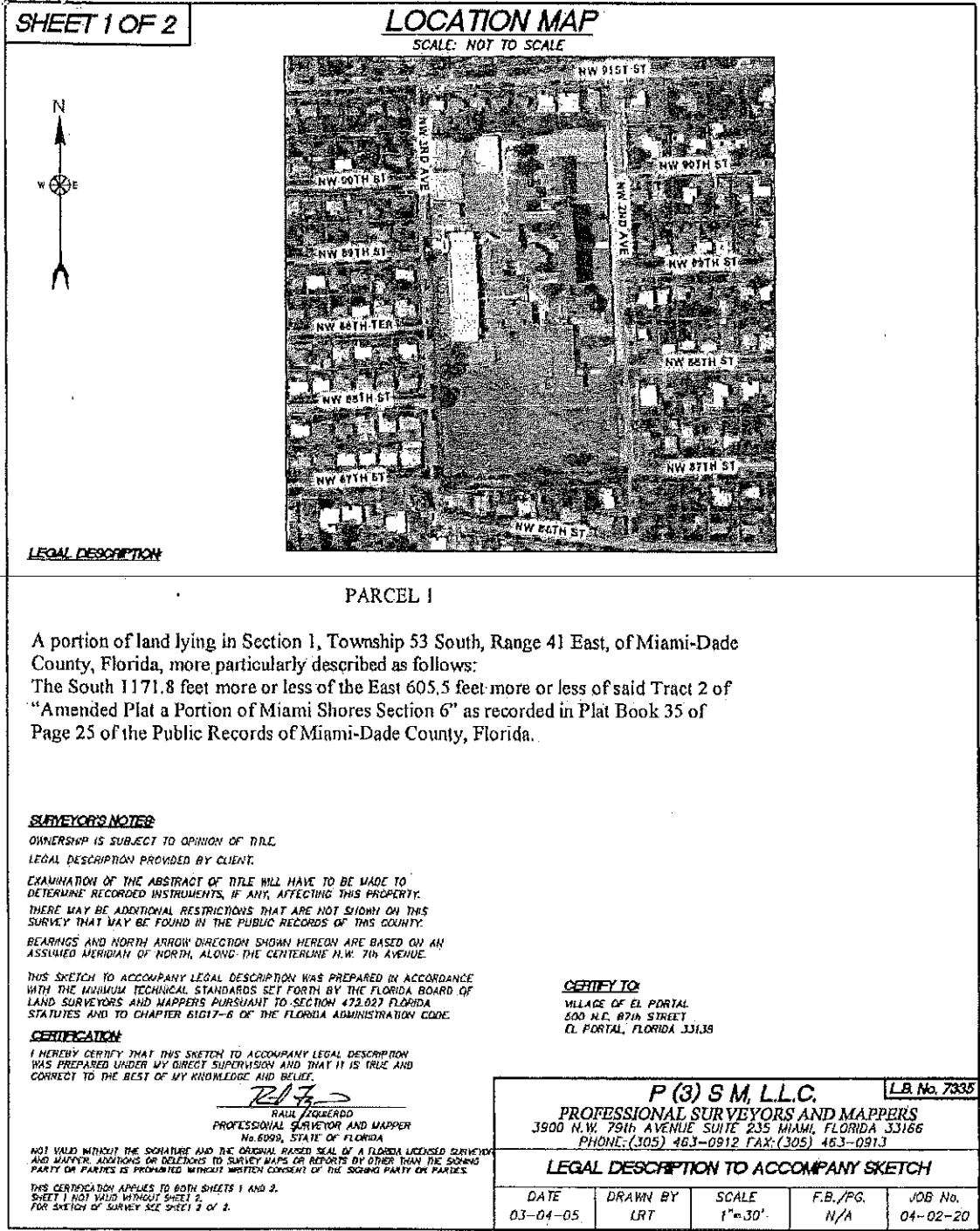
All of lot 4 of "Tuttles Subdivision" as recorded in plat book B of Page 3 of the Public records of Miami-Dade County, Florida; except the East 185.00 feet.

*(See Figure 3)*

The annexation areas are within Unincorporated Miami Dade County. Figure four (4) below demonstrates that the only bordering city is the City of Miami, which borders Area B (Parcel 3). Figure four (4) depicts all areas to be annexed in relation to the Village of El Portal's existing boundaries.

# MAPS

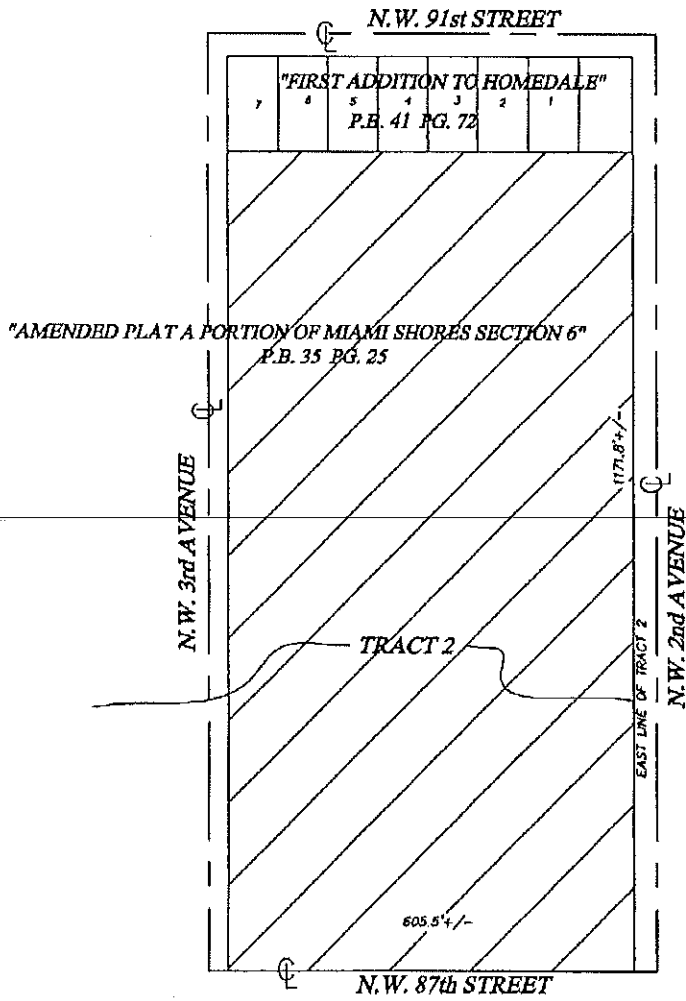
Figure 2



SHEET 2 OF 2

### MAP OF SURVEY


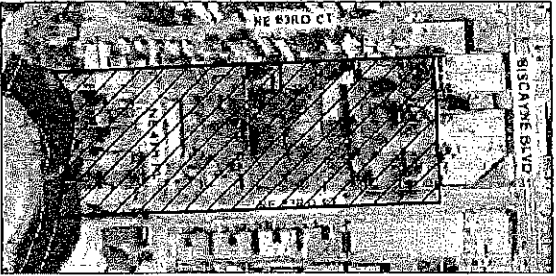
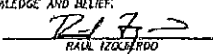
NOT TO SCALE



NOTE: SHEET 2 NOT VALID WITHOUT SHEET 1.  
FOR CERTIFICATION OF SURVEY SEE SHEET 1 OF 2.

<b>P (S) S M, L.L.C.</b>				LB No. 7335
PROFESSIONAL SURVEYORS AND MAPPERS				
3900 N.W. 79th AVENUE SUITE 235 MIAMI, FLORIDA 33166				
PHONE: (305) 463-0912 FAX: (305) 463-0913				
<b>LEGAL DESCRIPTION TO ACCOMPANY SKETCH</b>				
DATE	DRAWN BY	SCALE	F.B./PG.	JOB No.
03-04-05	LRT	1"=30'	N/A	04-02-20

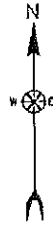
Figure 3

<b>SHEET 1 OF 2</b>	<b>LOCATION MAP</b> <i>SCALE: NOT TO SCALE</i>																		
																			
<p><b>LEGAL DESCRIPTION</b></p> <p style="text-align: center;"><b>PARCEL 3</b></p> <p>A portion of land lying in Section 7, Township 53 South, Range 42 East, of Miami-Dade County, Florida, more particularly described as follows: All of Lot 4 of "Tuttles Subdivision" as recorded in Plat book B of Page 3 of the Public records of Miami-Dade County, Florida; except the East 185.00 feet.</p>																			
<p><b>SURVEYOR'S NOTES</b></p> <p>OWNERSHIP IS SUBJECT TO OPINION OF TITLE. LEGAL DESCRIPTION PROVIDED BY CLIENT.</p> <p>EXAMINATION OF THE ABSTRACT OF TITLE WILL HAVE TO BE MADE TO DETERMINE RECORDED INSTRUMENTS, IF ANY, AFFECTING THIS PROPERTY. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.</p> <p>BEARINGS AND NORTH ARROW DIRECTION SHOWN HEREON ARE BASED ON AN ASSUMED MERIDIAN OF NORTH, ALONG THE CENTERLINE N.W. 7th AVENUE.</p> <p>THIS SKETCH TO ACCOMPANY LEGAL DESCRIPTION WAS PREPARED IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 FLORIDA STATUTES AND TO CHAPTER 61G17-6 OF THE FLORIDA ADMINISTRATION CODE.</p>																			
<p><b>CERTIFICATION</b></p> <p>I HEREBY CERTIFY THAT THIS SKETCH TO ACCOMPANY LEGAL DESCRIPTION WAS PREPARED UNDER MY DIRECT SUPERVISION AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.</p> <p style="text-align: center;">   <b>PAUL T. GIFFORD</b>          PROFESSIONAL SURVEYOR AND MAPPER          No. 6099, STATE OF FLORIDA       </p> <p><small>NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNED PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNED PARTY OR PARTIES.</small></p> <p><small>THIS CERTIFICATION APPLIES TO BOTH SHEETS 1 AND 2. SHEET 1 NOT VALID WITHOUT SHEET 2. FOR SKETCH OF SURVEY SEE SHEET 2 OF 2.</small></p>	<p><b>CERTIFY TO:</b></p> <p>VILLAGE OF EL PORTAL 500 N.E. 87th STREET EL PORTAL, FLORIDA 33168</p>																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;"><b>P (3) S M, L.L.C.</b></td> <td style="text-align: right;"><b>LB No. 78355</b></td> </tr> <tr> <td colspan="3" style="text-align: center;"> <b>PROFESSIONAL SURVEYORS AND MAPPERS</b>            3900 N.W. 79th AVENUE SUITE 235 MIAMI, FLORIDA 33166            PHONE: (305) 463-0912 FAX: (305) 463-0913         </td> </tr> <tr> <td colspan="3" style="text-align: center;"><b>LEGAL DESCRIPTION TO ACCOMPANY SKETCH</b></td> </tr> <tr> <td style="text-align: center;">DATE 03-04-05</td> <td style="text-align: center;">DRAWN BY LRT</td> <td style="text-align: center;">SCALE 1"=30'</td> </tr> <tr> <td colspan="2"></td> <td style="text-align: center;">F.B./PG. N/A</td> </tr> <tr> <td colspan="2"></td> <td style="text-align: center;">JOB No. 04-02-20</td> </tr> </table>		<b>P (3) S M, L.L.C.</b>		<b>LB No. 78355</b>	<b>PROFESSIONAL SURVEYORS AND MAPPERS</b> 3900 N.W. 79th AVENUE SUITE 235 MIAMI, FLORIDA 33166 PHONE: (305) 463-0912 FAX: (305) 463-0913			<b>LEGAL DESCRIPTION TO ACCOMPANY SKETCH</b>			DATE 03-04-05	DRAWN BY LRT	SCALE 1"=30'			F.B./PG. N/A			JOB No. 04-02-20
<b>P (3) S M, L.L.C.</b>		<b>LB No. 78355</b>																	
<b>PROFESSIONAL SURVEYORS AND MAPPERS</b> 3900 N.W. 79th AVENUE SUITE 235 MIAMI, FLORIDA 33166 PHONE: (305) 463-0912 FAX: (305) 463-0913																			
<b>LEGAL DESCRIPTION TO ACCOMPANY SKETCH</b>																			
DATE 03-04-05	DRAWN BY LRT	SCALE 1"=30'																	
		F.B./PG. N/A																	
		JOB No. 04-02-20																	

45

SHEET 2 OF 2

MAP OF SURVEY



LOT 5  
P.B. B PG. 3

NORTH LINE OF LOT 4

PARCEL 3

LOT 4  
P.B. B PG. 3

LITTLE RIVER CANAL

E. N.E. 4th PLACE

E. EAST LINE OF LOT 4  
BISCAYNE BLVD

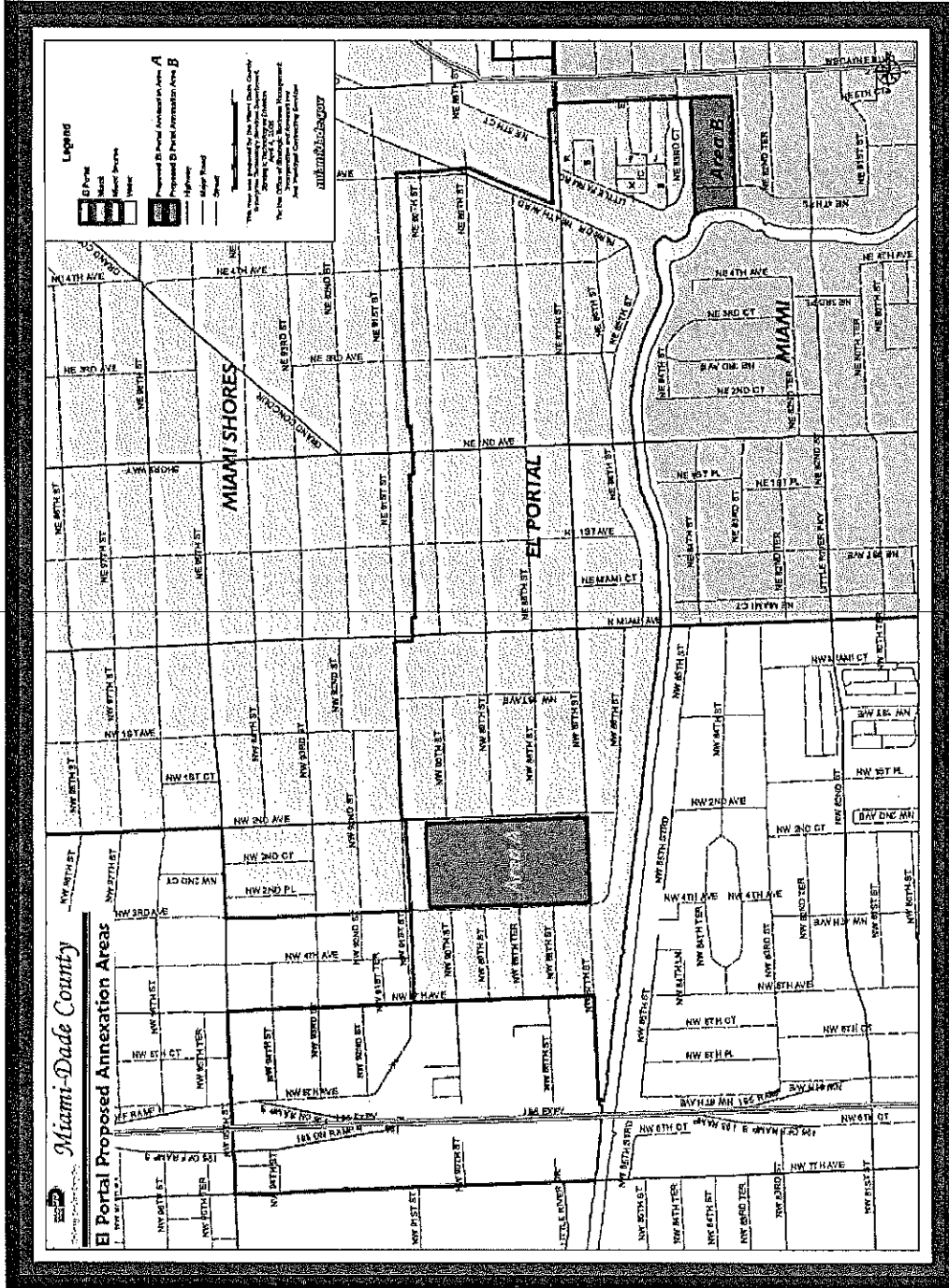
N.E. 63rd STREET SOUTH LINE OF LOT 4

NOTE: SHEET 2 NOT VALID WITHOUT SHEET 1.  
FOR CERTIFICATION OF SURVEY SEE SHEET 1 OF 2.

<b>P (3) S M, LLC.</b>			L.B. No. 7335	
PROFESSIONAL SURVEYORS AND MAPPERS 3900 N.W. 79th AVENUE SUITE 235 MIAMI, FLORIDA 33166 PHONE: (305) 463-0912 FAX: (305) 463-0913				
<b>LEGAL DESCRIPTION TO ACCOMPANY SKETCH</b>				
DATE	DRAWN BY	SCALE	F.B./PG.	JOB No.
03-04-05	LRT	1"=30'	N/A	04-02-20

46

Figure 4



# CERTIFICATE OF THE COUNTY SUPERVISOR OF REGISTRATION

Figure 5



Elections  
2700 NW 87th Avenue  
Miami, Florida 33172  
T 305-499-8683 F 305-499-8547  
TTY 305-499-8480

## CERTIFICATION

STATE OF FLORIDA)

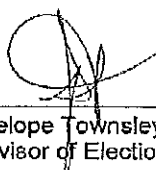
COUNTY OF MIAMI-DADE)

I, Penelope Townsley, Supervisor of Elections of Miami-Dade County, Florida, do hereby certify that the **Village of El Portal Annexation Areas**, as listed below, which boundaries are described in the attached map, have the following number of voters:

Area A: 0

Area B: 35

WITNESS MY HAND  
AND OFFICIAL SEAL,  
AT MIAMI, MIAMI-DADE  
COUNTY, FLORIDA,  
ON THIS 29<sup>th</sup> DAY OF  
AUGUST, 2012

  
\_\_\_\_\_  
Penelope Townsley  
Supervisor of Elections

*Please submit a check for \$110.00 to our office payable to the "Board of County Commissioners" for the cost of research and labor.*



## STATEMENT ON GROUNDS FOR BOUNDARY CHANGE

The Village of El Portal is a fully developed community with new construction limited to repair and remodeling. The vast majority of the land is residential in nature and is home to one of the oldest homes in Florida. As such, the required level of service for this land is high, while taxes generated to pay for that service is low. As a result, El Portal has one of the highest millage rates in Miami-Dade County, at 8.3 mills. This is approaching the allowable limit of 10 mills. By annexing land with a more diverse mix of uses, more taxes can be generated and the Village will be in a better position to service both the newly acquired annexation areas and the existing area. As parts of the community begin to redevelop, maintaining a competitive tax rate plays a large part in attracting people to the community.

El Portal's central location and easy accessibility from Miami Beach, Downtown, and Broward County, can also play a significant role in attracting, infill and redevelopment. In addition, the County has developed a policy to reduce its share of unincorporated land as a means to mitigate financial burdens associated with maintaining these areas. Therefore, this proposed annexation is in the best interest of both the City and the County.

# CONSENT OF BORDERING MUNICIPALITY

Figure 6



## City of Miami Legislation Resolution

City Hall  
3500 Pan American  
Drive  
Miami, FL 33133  
www.miamigov.com

File Number: 07-00626

Final Action Date:

A RESOLUTION OF THE MIAMI CITY COMMISSION, WITH ATTACHMENT(S),  
CONSENTING TO THE VILLAGE OF EL PORTAL'S ANNEXATION APPLICATION,  
THAT PROPOSES TO ANNEX AN AREA OF MIAMI-DADE COUNTY THAT ABUTS  
THE CITY OF MIAMI, LYING WEST AND NORTH OF THE EXISTING  
BOUNDARIES OF THE VILLAGE OF EL PORTAL.

WHEREAS, the Village of El Portal is completing an annexation application to be submitted to the Miami-Dade County ("County") Board of County Commissioners; and

WHEREAS, one of the requirements of the County's annexation application procedures stipulates that any municipality materially affected by the proposed annexation must consent to the boundary change in the form of an approved resolution; and

WHEREAS, the City of Miami ("City") believes it to be in the best interest of its' citizens to consent to the annexation of the area described in "Exhibit 1," attached and incorporated;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Resolution are adopted by reference and incorporated as if fully set forth in this Section.

Section 2. The Miami City Commission consents to the Village of El Portal's annexation application, that proposes to annex an area of the County that abuts the City, lying west and north of the existing boundaries of the Village of El Portal, as described in "Exhibit 1," attached and incorporated.

Section 3. This Resolution shall become effective immediately upon its adoption and signature of the Mayor. {1}

APPROVED AS TO FORM AND CORRECTNESS: 

JORGE L. FERNANDEZ  
CITY ATTORNEY

**Footnotes:**

{1} If the Mayor does not sign this Resolution, it shall become effective at the end of ten calendar days from the date it was passed and adopted. If the Mayor vetoes this Resolution, it shall become effective immediately upon override of the veto by the City Commission.

"Exhibit 1"

WJL

12-18-'06 11:43 FROM-

T-736 P801/002 F-783



## Village of El Portal

500 Northeast 87th Street  
El Portal, Florida 33138-3517  
Telephone (305) 795-7880  
Fax (305) 795-7884

December 18, 2006

Pedro G. Hernandez  
City Manager  
City of Miami  
3500 Pan American Drive  
Miami, Florida 33133

Via Facsimile 305-250-5410

Re: Village of El Portal's Annexation

Dear Mr. Hernandez:

As you may know, the Village of El Portal is seeking to annex four areas of unincorporated Miami-Dade County (see Attached map). The areas include:

- Northwest Fifth and Seventh Avenues, from Northeast 95th Street south to the Little River;
- A small enclave bordered by Northwest 91st and 95th streets, between Third and Fifth Avenues;
- The Horace Mann Middle School; and
- A two-block area on Northeast 83rd Street just east of the Little River.

Under Section 20-3 (E) of the Miami-Dade County Code, the Village of El Portal is in need of support from the City of Miami in the form of an approved resolution for the proposed boundary changes. Section 20-3 (E) reads as follows; "In the event any municipality other than the municipality initiating the proposed boundary change is materially affected thereby, a resolution of the governing body of such affected municipality or municipalities consenting to the proposed boundary changes shall be obtained and duly certified copy thereof furnished to the Clerk of the County Commission.

On behalf of the Village of El Portal, I am requesting that we be placed on the City of Miami's Commission agenda in order to obtain the approved resolution consenting to our proposed boundary changes.

Please contact me at 305-795-7880 if you should have any questions.

Regards,

  
Jason Walker  
Village Manager

MJC# 07-729

RESOLUTION NO. 1123-07

A RESOLUTION OF THE VILLAGE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA, CONSENTING TO THE VILLAGE OF EL PORTAL'S ANNEXATION APPLICATION WHICH PROPOSES TO ANNEX AN AREA OF MIAMI-DADE COUNTY LYING WEST AND NORTH OF THEIR EXISTING VILLAGE BOUNDARIES.

WHEREAS, The Village of El Portal is completing an annexation application to be submitted to the Miami-Dade Board of County Commissioners; and

WHEREAS, one of the requirements of the County's annexation application procedures stipulates that any municipality materially affected by the proposed annexation must consent to the boundary change in the form of an approved resolution; and,

WHEREAS, a copy of the request from El Portal, as well as a copy of the proposed annexation area map are attached and made a part of the official record;

NOW, THEREFORE, BE IT RESOLVED BY the Miami Shores Village Council that:

Section 1. The Council confirms receipt of the proposed boundary change map.

Section 2. The Council consents to the Village of El Portal's application to change their boundaries as set forth in the proposed boundary change map.

Section 3. This Resolution becomes effective immediately upon its adoption by the Miami Shores Village Council.

PASSED AND ADOPTED THIS 16<sup>th</sup> day of January 2007.

ATTEST:

  
Barbara A. Estep, MMC  
Village Clerk

  
Al Davis, Mayor

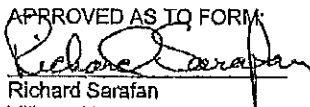
APPROVED AS TO FORM:  
  
Richard Sarafan  
Village Attorney

Figure 9



## Village of El Portal

500 NORTHEAST 87th STREET  
EL PORTAL, FLORIDA 33138-3517  
TELEPHONE (305) 795-7880  
FAX (305) 795-7884

December 18, 2006

Tom Benton  
Village Manager  
Miami Shores Village  
10050 N.E. Second Avenue  
Miami, Florida 33138

Re: Village of El Portal's Annexation

Dear Mr. Benton:

As you may know, the Village of El Portal is seeking to annex four areas of unincorporated Miami-Dade County (see attached map). The areas include:


- Northwest Fifth and Seventh Avenues, from Northeast 95th Street south to the Little River;
- A small enclave bordered by Northwest 91st and 95th streets, between Third and Fifth Avenues;
- The Horace Mann Middle School; and
- A two-block area on Northeast 83rd Street just east of the Little River.

Under Section 20-3 (E) of the Miami-Dade County Code, the Village of El Portal is in need of support from Miami Shores Village in the form of an approved resolution for the proposed boundary changes. Section 20-3 (E) reads as follows: "In the event any municipality other than the municipality initiating the proposed boundary change is materially affected thereby, a resolution of the governing body of such affected municipality or municipalities consenting to the proposed boundary changes shall be obtained and duly certified copy thereof furnished to the Clerk of the County Commission."

On behalf of the Village of El Portal, I am requesting that we be placed on the Miami Shores Village's Council agenda in order to obtain the approved resolution consenting to our proposed boundary changes.

Please contact me at 305-795-7880 if you should have any questions.

Regards,



Jason Walker  
Village Manager

## LAND USE PLAN AND ZONING

The Village of El Portal is applying to annex land in two (2) areas contiguous to the Village. The Land Use Map below depicts these two (2) areas and their current use. *(See figure 10)*

Area A is an enclave completely within the Village's boundaries bordered by NW 91<sup>st</sup> Street to the North, NW 2<sup>nd</sup> Avenue to the East, the theoretic location of NW 87<sup>th</sup> Street, and the Little River Canal to the South, NW 3<sup>rd</sup> Avenue to the West.

Area B is a small area to the South East of the Village located between the Village's southern boundary on the North, Biscayne Boulevard to the East, the City of Miami to the South and the City of Miami and the Little River to the west.

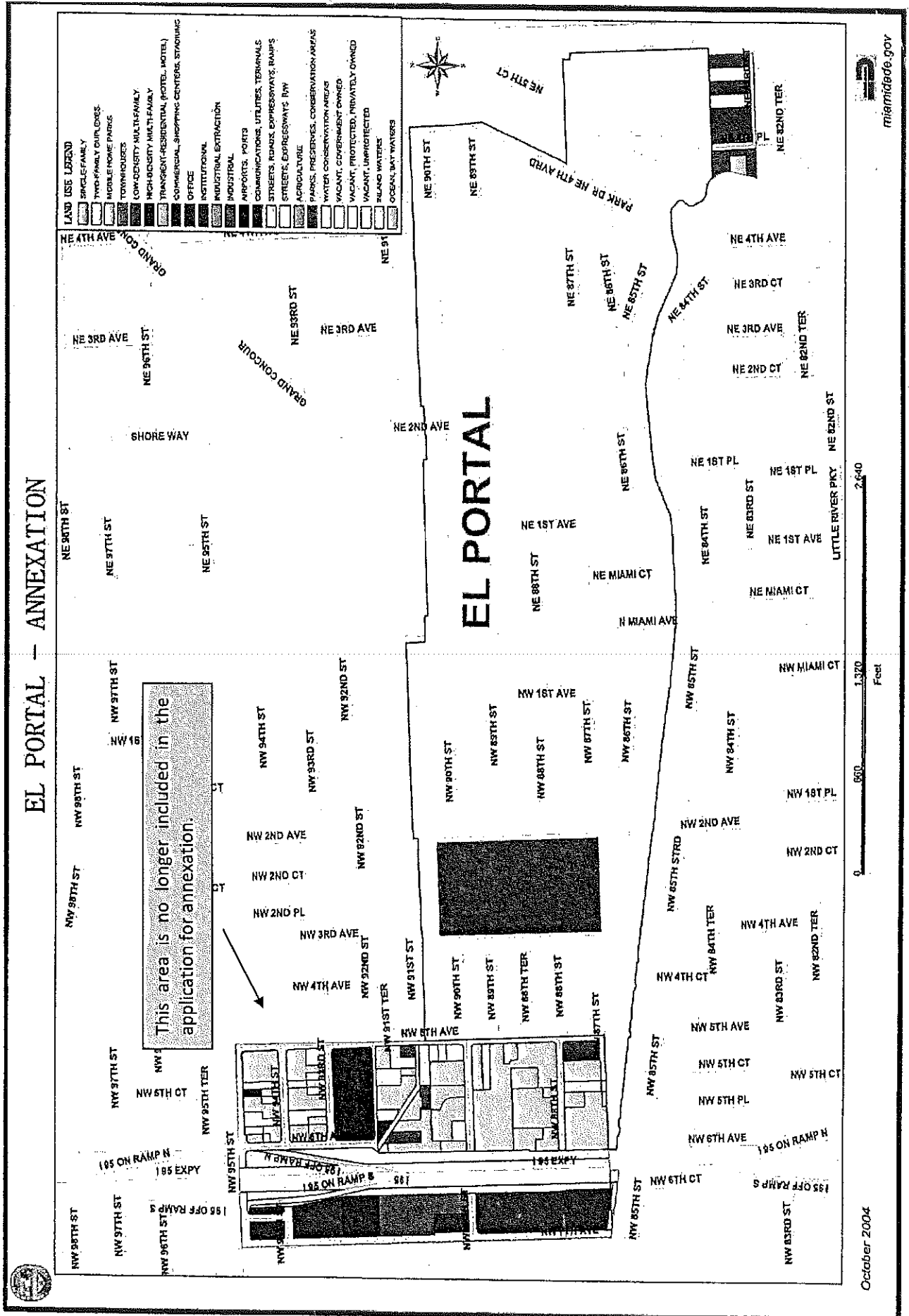
These areas are considered as one in terms of the analysis of this report.

Area A is fully developed and only represents Horace Mann Middle School, 8000 Community Facilities – CLUC Board of Public Instruction. Area B consist of mostly vacant land with a zoning designation of 5000 Hotels and Motels and 0003 Multi-Family. The Village has provided a complete analysis of potential services needed to serve the annexation areas as well as a cost analysis of providing these services. The Village envisions maintaining the land use mix that currently exists.

## ENCLAVE STATEMENT

As is demonstrated below, the Village of El Portal confirms that Area A is an enclave, as defined in Section 20-7(A)(1)(c). This area borders the municipality and the proposed boundary change includes such enclave.

Figure 10





## **SERVICES TO BE PROVIDED**

The Village has no plans to change the existing land use mix, and accordingly will continue to provide services to the area, at least at their existing levels. Following is a description of the anticipated services required to serve the two annexation areas.

This section describes in detail the character and amount of services to be provided for the following areas:

### **a) Police Protection**

The El Portal Police Department evaluates itself regularly and makes adjustments depending on the needs of each police zone. The Police Department employs seven full time sworn Police personnel. In addition to the seven full-time personnel, the Village PD also employs (16) part-time sworn Police Officers. The department is headed by the Chief of Police, 1 Police Sergeant and 1 Corporal.

The department is currently providing services to Area A of the annexation application. Since the location of Area A is an enclave within the Village, by default, the Village maintains constant police presence in the area. Also, the Miami Dade Public School Police provide additional police service of the interior of Horace Mann Middle School.

The department is recommending to increase the part-time police budget to \$15,000 in order to increase patrol hours of PT officer to focus on calls in Area B. Currently, Area B consist of mostly vacant property.

### **b) Fire Protection**

Miami-Dade County will continue to provide fire protection services to the proposed annexation areas. El Portal residents currently pay fees directly to Miami-Dade County for fire protection within the current village limits.

### **c) Water Supply and Distribution**

The Village of El Portal purchases potable water from Miami-Dade Water and Sewer Department (MDWASD). The Miami-Dade County Department of Environmental Resources Management (DERM) has the responsibility under Metropolitan Dade County Administrative order for monitoring the operation of water treatment facilities operated by MDWASD. Under that order, DERM is responsible for monitoring these facilities using criteria consistent with the minimum Levels of Service adopted in El Portal Comprehensive Plan. The water supply in El portal is part of the regional water supply and distribution system in the northern part of Miami-Dade County, which is substantially developed in accordance with the County's Comprehensive Plan. This system also meets fire flow rates set in cooperation with the County Fire Department and DERM.

Water is supplied from the Hialeah-Preston Water Treatment Plant located in Hialeah and owned by MDWASD. Demand in El Portal, at last count was estimated at 190,000 million gallons per day based on a per capita water use of 100 gallons per day. El Portal is serviced by a series of 12-inch water mains along NE 2<sup>nd</sup> Avenue and North Miami Avenue, as well as an 8-inch main along 87<sup>th</sup> Street. The water distribution lines range in size from 12-in to 2-in.

#### **d) Facilities for the Collection and Treatment of Sewage**

El Portal does not provide public sanitary sewers or waste water treatment and disposal facilities. These needs are serviced by septic systems. As such, the Village does not intend to provide or require public sanitary sewers west of the railroad. Septic tanks have provided adequate service and El Portal has limited remaining vacant, developable land. Provision of a municipal sanitary sewer system to the existing residential area west of the railroad would place a financial burden on the Village which is not warranted by the existing conditions or soils. There is no evidence of effluent seepage into the canal or other adverse impact upon natural resources.

There may be a need to provide an extension of the existing regional wastewater collection and treatment system to service the redevelopment of the Little Farm mobile home park, due to both soil and density factors, particularly if the development will generate more than 1,500 gallons of sewage per day. This will be done through impact fees.

The annexation areas are not serviced by public sanitary sewers or waste water treatment and disposal facilities. These are serviced by septic systems. There is not a plan to convert to municipal sewage systems.

#### **e) Garbage and Refuse Collection and Disposal**

El Portal is provided with the collection of residential and commercial solid waste within the Village limits by private contract haulers. The waste is collected and transferred to either the Northeast Transfer Station or the Resource Recovery Facility. Miami-Dade County is responsible for solid waste disposal. Waste in El Portal is collected twice a week by a company which operates vehicles to service both commercial and residential uses.

Residential waste is generated at approximately 4.5 lbs per day per capita. Commercial waste is generated at approximately 0.5 lbs per day per capita. Waste in the Annexation Area which amounts to about 2,178 lbs per day, will be removed by a private hauler.

#### **f) Street Lighting**

Florida Power & Light provides electricity and lighting to the Village of El Portal. Because these facilities are in the public right-of-way, they should not interfere with on-site traffic flow. The Village will assume the cost of the street lighting at the applicable rate.

#### **g) Street Construction and Maintenance**

El Portal may utilize the People's Transportation Plan to make needed improvements to the area as needed. In the first year of the plan, the city will receive \$73,500. Twenty percent (20%) of the surtax revenue is distributed by pro rata share (determined by population). The Village

will continue to evaluate new and existing facilities on a periodic basis, utilizing consultants to design and construct improvements. There is no anticipated staff increase in this area due to the annexation.

Of course, the annexation areas will be subject to the traffic, stormwater and roadway performance standards, which include the level of service standard of the South Florida Building Code. New or infill development should not violate the water quality standard identified in Chapter 17-3 of the Florida Administrative Code. Additionally, all public roads will be maintained by the Public Works Department, except for State Roads, which are maintained by the Florida Department of Transportation.

For City roads, Level of Service (LOS) "E" must be provided for areas with no transit service LOS "E" + 20%. Level of Service "E" + 20% must be provided for areas with transit service headways of 20 minutes, and LOS "E" +50% for areas with extraordinary transit (express buses). This will be maintained.

#### **h) Parks and Recreation Services**

The Village of El Portal has approximately 0.1 acres of park and recreational land within its boundaries. These consist of three small municipal parks which offer passive recreation opportunities and also enhance the quiet residential character of the Village. There is a wide array of recreation facilities located within a 3.5 mile drive of the Village. These include metropolitan parks, community parks and school site playfields. Included these bolster the inventory to approximately 575 acres of parkland in the 3.5 mile radius.

#### **i) Building Inspection/ Zoning Administration/ Local Planning Services**

Building inspection, zoning, and planning are handled by the Village Code Enforcement staff (police officers) and outside consultants (building official) as needed. Between them they handle all building inspections, planning and zoning applications, land use, comprehensive planning, and concurrency management. All new developments must be reviewed by the Village or its consultants for approval. All developments should be compatible with the City's Future Land Use Plan and Comprehensive Plan, which is currently undergoing its Evaluation and Appraisal Report (Rewrite DONE in 10/2009). Additionally, all land use and zoning changes for large residential developments are reviewed by the Miami-Dade County Public School Board, which, in turn, provides a needs report to the Village.

New or infill development in the annexation area will be approved by the Village staff or consultants. Additionally, the Comprehensive Plan will be amended to include the annexation area. All development must comply with the requirements of the Department of Environmental Resource Management (DERM). This is relevant in terms of wetlands, contaminated sites, and tree conservation areas. The Village anticipates no increase in staffing to service the new areas.

#### **j) Special Services**

The Village will be responsible for hurricane preparedness and cleanup for the proposed annexation areas. No costs have been assigned to this at this time.

### **k) General Government**

El Portal has a Council-Management form of government. The Village Council is vested with all legislative powers of the Village. It consists of four members and the mayor. The Council must hold 11 regular monthly meetings, and special meetings if warranted. It follows Robert's Rules of Order. The Mayor presides at meetings of the council and is a voting member. The Mayor is the head of Village government and is officially designated to represent the Village in all dealings with other governmental entities. The Vice-Mayor is elected at the first council meeting after each regular Village election, and has all the powers of Mayor when the Mayor is in absence.

The Village Manager is the chief administrative officer of the Village and serves at the pleasure of the Council by a vote of not less than three affirmative votes. The Manager may be removed by the Council at any time. The Manager is responsible for hiring, firing and supervising all Village employees, supervises the administration of all departments, attends all Council meetings and has the right to take part in discussions therein, but not vote. In addition the Manager insures the laws of the charter are enforced, submits an annual budget, produces and annual report on the finances and administration, and keeps the Council fully advised of the condition and needs of the Village. Execution of the contracts is also under the discretion of the Manager.

A Village Clerk is available to provide notices of meetings, keep minutes, and perform other duties. The Village Attorney reports to the Council. This form of government will be maintained, and the newly annexed areas will have the ability to participate fully.

## TIMETABLE FOR PROVIDING SERVICES

Upon approval by the Miami Dade Board of County Commissioners, the Village will immediately phase in services for each of the applicable areas over the course of twelve months after annexation. All Interlocal Agreements will be applied for and procured at that time. See Table 1 below.

Table 1

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

## FINANCING SERVICES

There will be certain expenditures incurred when the annexation occurs. These costs will be one-time capital expenditures and annual salary costs. All estimates of capital items and personnel were ascertained by interviewing the department managers and estimators from Human Resources. Table 2 below contains these estimates.

Table 2

SERVICE	Capital Costs	Estimated Annual Cost	Revenue Source
Police Protection	0	\$15,000	General
Water	0	0	W&S
Sewer	0	0	W&S
Garbage & Refuse	0	0	Sanitation
Street Lighting	0	\$5,000	General
Parks	0	0	General

## TAX LOAD ON ANNEXATION AREAS

- The Village of El Portal currently maintains a millage rate of **8.3** (FY-12/13). The current Miami Dade County millage rate is **4.7035**. According to the Miami Dade County Property Appraiser's Office, the 2011 total preliminary ad valorem taxes assessed in Area A and B was:

Real Property            **\$3,024,412.00**

Total Ad Valorem      **\$23,847.48**

# CERTIFICATE OF THE DIRECTOR OF PLANNING & ZONING

Figure 11

## Memorandum

**Date:** September 18, 2012  
**To:** Christopher Agrippa, Division Chief  
 Clerk of the Board  
**From:** Jack Osterholt, Director  
 Department of Regulatory and Economic Resources  
**Subject:** Certification of the Village of El Portal Proposed Annexation Area A

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

- o The proposed annexation area, described below, is less than 50 percent developed residential. According to the 2012 land use records, as shown in the attached table and figure, there is no land in residential use (0 percent) within the proposed annexation area. The land area of the proposed annexation is approximately 16.4 acres.
- o The proposed annexation area, which is shown in the attached figure, is legally described as Section 1, Township 53 South, Range 41 East, of Miami-Dade County Florida, more particularly described as follows: The South 1171.8 feet more or less of the East 605.5 feet more or less of said Tract 2 of "Amended Plat a Portion of Miami Shores Section 6" as recorded in Plat Book 35 of Page 25 of the Public Records of Miami-Dade County, Florida

**Attachments**

- c: Jorge Fernandez, Office of Management and Budget  
 Craig Collier, County Attorney's Office  
 Carolina Montealegre, Village of El Portal

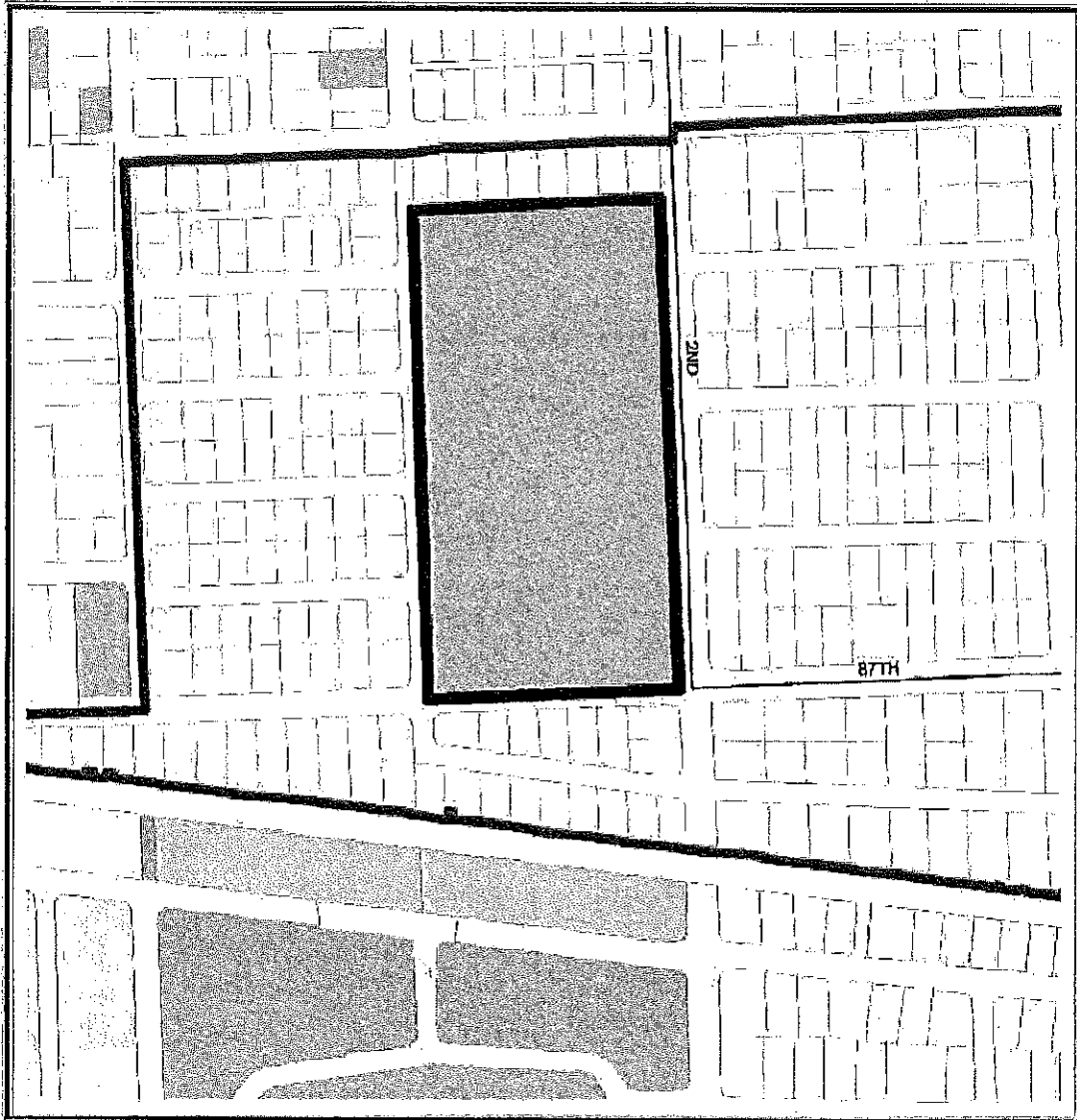
**Village of El Portal Proposed Annexation Area A  
 2012 Existing Land Use**

Land Use	Annexation Area A (Acres)	Annexation Area A (Percent of Total)	Village of El Portal (Acres)	Village of El Portal (Percent of Total)	Miami-Dade County (Acres)	Miami-Dade County (Percent of Total)
Residential	0.0	0.0	167.5	68.7	110780.1	8.7
Hotel-Motel	0.0	0.0	0.0	0.0	730.1	0.1
Commercial entertainment	0.0	0.0	0.0	0.0	955.1	0.1
Commercial & Office	0.0	0.0	2.2	0.9	12690.4	1.0
Industrial	0.0	0.0	1.2	0.5	17738.2	1.4
Institutional	16.4	100.0	2.9	1.2	14459.9	1.1
Parks/Recreation/Conservation	0.0	0.0	0.0	0.0	832653.9	65.8
Transportation, Communication, Utilities	0.0	0.0	68.4	28.0	87495.5	6.9
Agriculture	0.0	0.0	0.0	0.0	63289.0	5.0
Undeveloped	0.0	0.0	1.7	0.7	88530.4	7.0
Inland Waters	0.0	0.0	0.0	0.0	36977.2	2.9
<b>Total:</b>	<b>16.4</b>	<b>100.0</b>	<b>243.9</b>	<b>100.0</b>	<b>1266299.8</b>	<b>100.0</b>

Source: Miami-Dade County Department of Regulatory and Economic Resources (RER), Planning Research Section - September, 2012

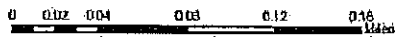
63

# EL PORTAL PROPOSED ANNEXATION AREA A



## Legend

- |  |                                       |
|--|---------------------------------------|
| SINGLE FAMILY DETACHED                   | AGRICULTURE                           |
| TWO FAMILY DETACHED                      | PARK, RECREATION, COLLEGE, ETC. AREAS |
| NONRESIDENTIAL OFFICE                    | WATER GAS SEPARATION AREAS            |
| TOWNHOUSES                               | VACANT, CONSTRUCTION, ETC. AREAS      |
| LOW DENSITY MULTI-FAMILY                 | VACANT, PROFESSIONAL, ETC. AREAS      |
| MEDIUM DENSITY MULTI-FAMILY              | VACANT, INDUSTRIAL                    |
| TRANSIENT RESIDENTIAL (HOTEL, MOTEL)     | RELIGIOUS STRUCTURES                  |
| COMMERCIAL, BUSINESS CENTERS, ETC. AREAS |                                       |
| OFFICE                                   |                                       |
| INDUSTRIAL                               |                                       |
| INDUSTRIAL CONSTRUCTION                  |                                       |
| INDUSTRIAL                               |                                       |
| Municipal Boundary                       | Annexation                            |



Miami-Dade County  
 Regulatory and Economic Resources Department  
 Planning Research 2012

City of El Portal

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# Memorandum



**Date:** September 18, 2012  
**To:** Christopher Agrippa, Division Chief  
 Clerk of the Board  
**From:** Jack Osterholt, Director  
 Department of Regulatory and Economic Resources  
**Subject:** Certification of the Village of El Portal Proposed Annexation Area B

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

- o The proposed annexation area, described below, is less than 50 percent developed residential. According to the 2012 land use records, as shown in the attached table and figure, there are only 2.3 acres of land in residential use (42.6 percent) within the proposed annexation area. The land area of the proposed annexation is approximately 5.4 acres.
- o The proposed annexation area, which is shown in the attached figure, is legally described as Section 7, Township 53 South, Range 42 East, of Miami-Dade County, Florida, more particularly described as follows: All of lot 4 of "Turtles Subdivision" as recorded in plat book B of Page 3 of the Public Records of Miami-Dade County, Florida; except the East 185.00 feet.

**Attachments**

- c: Jorge Fernandez, Office of Management and Budget  
 Craig Collier, County Attorney's Office  
 Carolina Montealegre, Village of El Portal

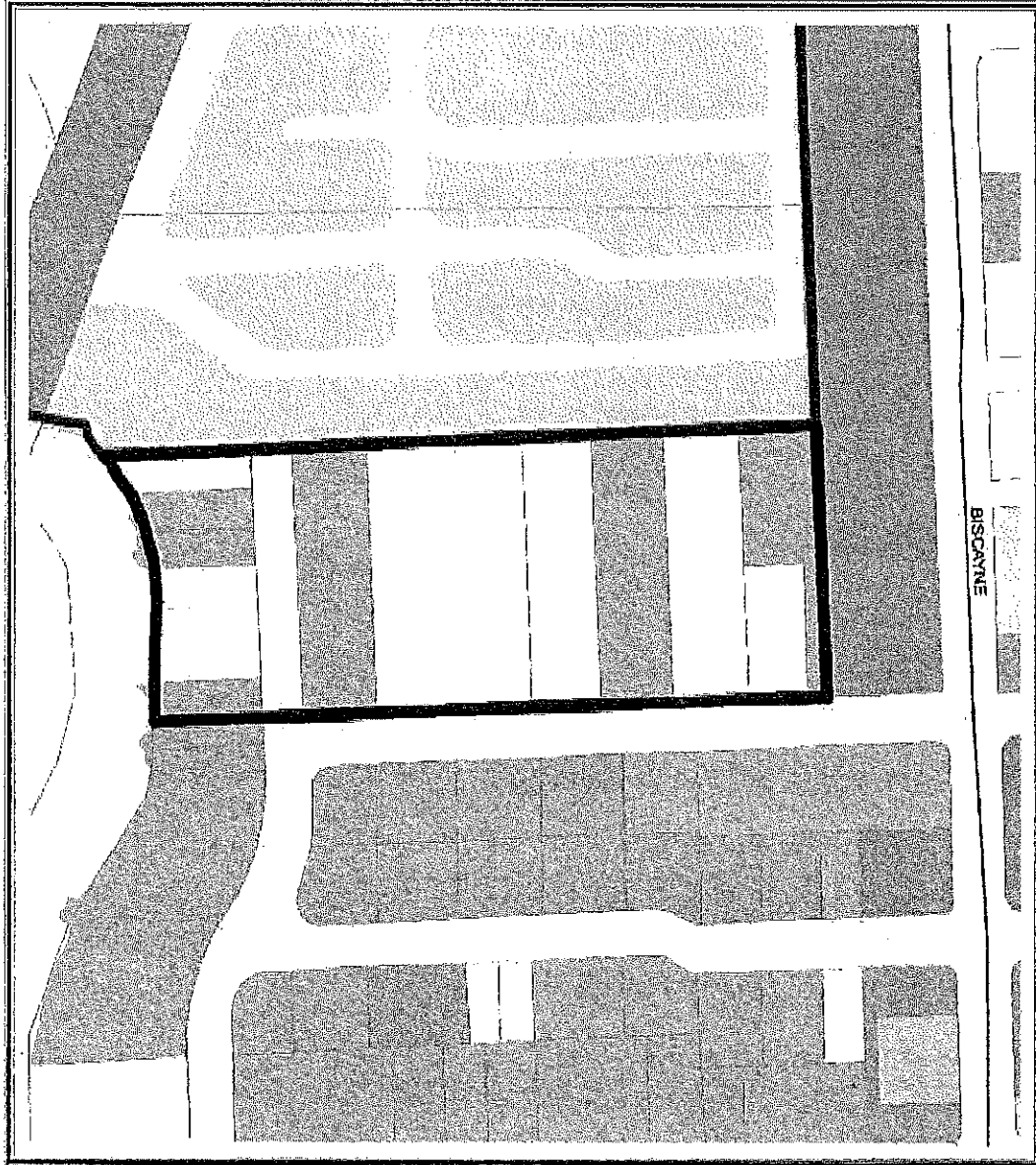
**Village of El Portal Proposed Annexation Area B  
 2012 Existing Land Use**

Land Use	Annexation Area (Acres)	Annexation Area (Percent of Total)	Village of El Portal (Acres)	Village of El Portal (Percent of Total)	Miami-Dade County (Acres)	Miami-Dade County (Percent of Total)
Residential	2.3	42.6	167.5	68.7	110780.1	8.7
Hotel-Motel	0.0	0.0	0.0	0.0	730.1	0.1
Commercial entertainment	0.0	0.0	0.0	0.0	955.1	0.1
Commercial & Office	0.0	0.0	2.2	0.9	12690.4	1.0
Industrial	0.0	0.0	1.2	0.5	17738.2	1.4
Institutional	0.0	0.0	2.9	1.2	14459.9	1.1
Parks/Recreation/Conservation	0.0	0.0	0.0	0.0	832653.9	65.8
Transportation, Communication, Utilities	0.3	5.6	68.4	28.0	87495.5	6.9
Agriculture	0.0	0.0	0.0	0.0	63289.0	5.0
Undeveloped	2.8	51.9	1.7	0.7	88530.4	7.0
Inland Waters	0.0	0.0	0.0	0.0	36977.2	2.9
<b>Total:</b>	<b>5.4</b>	<b>100.0</b>	<b>243.9</b>	<b>100.0</b>	<b>1266299.8</b>	<b>100.0</b>

Source: Miami-Dade County Department of Regulatory and Economic Resources (RER), Planning Research Section - September, 2012

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# EL PORTAL PROPOSED ANNEXATION AREA B



### Legend

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li>□ SINGLE-FAMILY</li> <li>□ TWO-FAMILY DWELLINGS</li> <li>□ NEIGHBORHOOD PARK</li> <li>□ TOURIST</li> <li>□ COMMUNITY MGMT CENTER</li> <li>□ HIGH-DENSITY MULTIFAMILY</li> <li>□ TRANSIT STATION (HOTEL, HOTEL)</li> <li>□ COMMERCIAL, BUSINESS CENTER, OFFICE</li> <li>□ OFFICE</li> <li>□ BUSINESS</li> <li>□ INDUSTRIAL</li> <li>□ INDUSTRIAL</li> <li>□ Airport boundary</li> </ul> | <ul style="list-style-type: none"> <li>□ AIRCRAFT, FIELDS</li> <li>□ COMMUNICATIONS, UTILITIES, TRANSPORT</li> <li>□ WAREHOUSE, STORAGE, DISTRIBUTION, MAINTENANCE</li> <li>□ INDUSTRIAL, MANUFACTURING, RESEARCH &amp; DEVELOPMENT</li> <li>□ AGRICULTURE</li> <li>□ PARKS, RECREATION, CULTURAL, HISTORICAL</li> <li>□ WATER SUPPLY, WASTEWATER</li> <li>□ VACANT, FUTURE, RELATIVELY UNDEVELOPED</li> <li>□ VACANT, FUTURE, RELATIVELY UNDEVELOPED</li> <li>□ VACANT, FUTURE, RELATIVELY UNDEVELOPED</li> <li>□ FLOODPLAIN</li> <li>□ OPEN SPACE</li> <li>□ Annexation</li> </ul> |
|---|--|



66

**PETITION INDICATING CONSENT**

No petition shall be required where the property proposed for annexation is vacant or where there are two hundred fifty (250) or less resident electors.

RESOLUTION OF THE MIAMI-DADE COUNTY PLANNING  
ADVISORY BOARD INCORPORATION AND ANNEXATION  
COMMITTEE RECOMMENDING THE PLANNING ADVISORY  
BOARD APPROVE THE PROPOSED ANNEXATION TO THE  
VILLAGE OF EL PORTAL

WHEREAS, the Village of El Portal has petitioned for the annexation of the two areas generally described below:

Boundaries: Area A: On the north NW 91st Street, on the south  
NW 87th Street, on the east NW 2nd Avenue and on  
the west NW 3rd Avenue

Area B: On the north NE 83rd Court, on the south NE  
83rd Street, on the east Biscayne Boulevard and on  
the west the little river Canal

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

WHEREAS, the PAB referred the application to the Incorporation and Annexation Committee which reviewed staff's report dated July 1<sup>st</sup>, 2013; and

WHEREAS, on July 1<sup>st</sup>, 2013, the Incorporation and Annexation Committee held an advertised public meeting, concerning this application for annexation by the Village of El Portal,

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

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

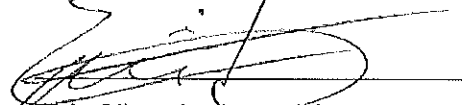
Serafin Leal Yes  
Raymond Marin Yes

Georgina Santiago Yes

William Riley, Chair Absent

The Chair thereupon declared the resolution duly passed and adopted this 1<sup>st</sup> day of July 2013.

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

  
Eric Silva, Assistant Director  
Regulatory and Economic Resources

RESOLUTION OF THE MIAMI-DADE COUNTY PLANNING  
ADVISORY BOARD RECOMMENDING THAT THE BOARD OF  
COUNTY COMMISSIONERS APPROVE THE PROPOSED  
ANNEXATION TO THE VILLAGE OF EL PORTAL

WHEREAS, the Village of El Portal has petitioned for the annexation of the areas generally described below:

Boundaries: Area A: On the north NW 91st Street, on the south NW 87th Street, on the east NW 2nd Avenue and on the west NW 3rd Avenue

Area B: On the north NE 83rd Court, on the south NE 83rd Street, on the east Biscayne Boulevard and on the west the little river Canal

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 July 1, 2013; and

WHEREAS, on July 1, 2013, the Planning Advisory Board's Incorporation and Annexation Committee held an advertised public meeting, concerning this application for annexation by the Village of El Portal; and

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

WHEREAS, on July 1, 2013, the Planning Advisory Board held an advertised public hearing, concerning this application by the Village of El Portal;

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 Village of El Portal.

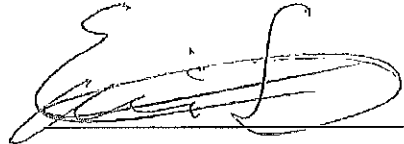
The forgoing resolution was offered by Board Member Georgina Santiago, who moved its adoption and was seconded by Board Member Aida Bao-Garciga, and upon being put to a vote the vote was as follows:

Carla Ascencio-Savola	Absent	Raymond Marin	Yes
Aida Bao-Garciga	Yes	Robert Meador	Absent
Jose Bared	Absent	Javier Munoz	Yes
Peter DiPace	Yes	William Riley	Absent
Horacio Huembes	Absent	Georgina Santiago	Yes
Joseph James	Yes	Jesus Vazquez	Absent
Serafin Leal	Yes	Paul Wilson	Absent

Wayne Rinehart, Chair Yes

The Chair thereupon declared the resolution duly passed and adopted this 1<sup>st</sup> day of July 2013.

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



---

Eric Silva - Assistant Director  
Regulatory and Economic Resources