Memorandum MIAMI-DADE

Date:

April 14, 2014

To:

Chairperson and Members

Planning Advisor Board

From:

Jorge M. Fernandez, Jr.

Program Coordinator, Office of Management and Budget

Subject:

Staff Report for Proposed Boundary Change to the City of Sweetwater

Background

On June 14, 2013, the City of Sweetwater submitted a boundary change application to the Miami-Dade County Clerk of the Board. The application was accepted by the Miami-Dade County Board of County Commissioners (Board) at its July 2, 2013 meeting and was referred to the Planning Advisory Board (PAB) for review and further processing, as required by the Miami-Dade County Code (Code).

The City of Sweetwater is applying to annex approximately 7,631 acres of land contiguous to a portion of the City's Western Boundary.

The proposed annexation area is approximately 7,631 acres or 11.926 square miles within County Commission District 11. The annexation area is bounded on the north by NW 25th Street, on the south by SW 8th Street, on the east by 117th Avenue and on the west by Krome Avenue.

The Area is largely undeveloped, with a mix of parks and recreation, inland waters, agricultural, and industrial uses. There are no residential, or commercial and office uses in the annexation area. Approximately 6,745 acres (88 percent) of the proposed annexation area are located outside the 2015 Urban Development Boundary.

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

Summary of Issues for Consideration

- 1) The annexation of properties outside of the Urban Development Boundary, and of lands that have been designated Environmental Protection is inconsistent with CDMP policies that protect Future Wetlands and lands designated as Environmental Protection from incompatible land uses. DERM therefore recommends that the sites outside of the UDB and the areas designated environmental protection be excluded from the annexation area.
- 2) Proposed annexation divides folio 30-3920-000-0020, leaving a large portion of the property outside of the annexation boundaries. The assessed value of the parcel is \$22,596,270. The parcel will have to be split at the time of annexation.
- 3) Annexation of the proposed area would result in the creation of an unincorporated pocket to the south and east of the proposed annexation area, which would be surrounded by the City of Sweetwater on three sides. The unincorporated pocket will be generally bounded on the east by NW 117 Avenue, on the north by NW 12 Street, and on the west by NW 137 Avenue.

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- 4) A preliminary search of County records indicate the following CDMP covenant on properties within the proposed annexation area:
 - South portion of properties with Folio No. 30-3935-000-0020 and 30-3935-000-0050: Declaration of Restrictions
- 5) A preliminary search of County records indicate the following zoning covenants on properties within the proposed annexation area:
 - Folios No. 30-490-300-0301, 30-490-300-0450, 30-490-300-0470, 30-490-300-0490, 30-490-300-0500 and 30-490-300-0510: Declaration of Restrictions
 - Folios No. 30-490-300-0270, 30-490-300-0310, 30-490-300-0420, 30-490-300-0440, 30-490-300-0520, 30-490-300-0530, 30-490-300-0540, 30-490-300-0550, 30-490-300-0560, 30-490-300-0570, 30-490-300-0580, 30-490-300-0590, 30-490-300-0600, 30-490-300-0610, 30-490-300-0620 and 30-490-300-0630: Declaration of Restrictions
 - Folios No. 30-3935-000-0010, 30-3935-000-0011, 30-3935-000-0013, 30-3935-000-0014, 30-3935-000-0016, 30-3935-000-0018, 30-3935-000-0020, 30-3935-000-0050, 30-3936-000-0011, 30-3936-000-0012, 30-3936-000-0019, 30-3936-000-0024, 30-3936-000-0050, 30-3936-000-0061, 30-3936-000-0070, 30-3936-000-0071, 30-3936-001-0010, 30-3936-001-0020, 30-3936-001-0030, 30-3936-001-0040 and 30-3936-001-0050: Declaration of Restrictions, Declaration of Restrictions, Covenant, Covenant, Agreement, Unity of Title, Covenant, Covenant, Covenant, Agreement, Covenant, Modification of Declaration of Restrictions and Declaration of Restrictions
- 6) If the annexation were to be approved, the Interlocal Agreement (or other instrument) governing the proposed annexation should include provisions requiring changes or amendments to the future land use of any annexed land located outside the UDB to be consistent with the CDMP and to recognize that the County retains control over the movement of the UDB and uses within proposed expansions of the UDB.
- 7) The Annexation Application does not address the CDMP requirements for wellfield protection and groundwater quality of Open Land Subareas 2 and 3, or the Code provisions for rock mining activities in the ROZA and Lake Belt area. The City should demonstrate how it will ensure consistency with the CDMP for the Open Land subareas and the Code provisions for the ROZA/Lake Belt area
- 8) The currently designated CDMP land uses on the proposed annexation area may be developed with approximately 1,526 residential units and generate approximately 730 students. Therefore, this proposed annexation may have an impact on public school facilities.
- 9) Should the annexation be approved the County will retain jurisdictional control of the Trail Glades Range.
- 10) Should the annexation be approved, the area will remain within the Miami-Dade Fire Rescue District in perpetuity.

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.

1. Does the annexation divide a historically recognized community?

The proposed annexation area does not divide a Census Designated Place.

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?

The proposed annexation area abuts the western boundary of the City of Sweetwater along the Florida Turnpike between NW 12 and NW 25 Streets. In this general area the City's land uses are commercial, offices, industrial and institutional. The existing uses within the annexation area are primarily vacant land both inside and outside the UDB.

The existing underlying zoning in the proposed annexation area is: GU (Interim District), BU-1A (Limited Business District), BU-2 (Special Business District), IU-1 (Industrial, Light Manufacturing District), IU-2 (Industrial, Heavy Manufacturing District), IU-3 (Industrial, Unlimited Manufacturing District), IU-C (Industrial District, Conditional) and AU (Agricultural District).

In its application, the City of Sweetwater states that it will adopt the County's land use and zoning designations for the proposed annexation area into the City's general land use and zoning plans. The proposed annexation area would be compatible with the existing and planned land uses and zoning in the City of Sweetwater, if the City adopts the County's CDMP LUP map designations and zoning for the proposed annexation area.

3. If currently qualified, will the annexation area continue to be eligible for any benefits derived from inclusion in federal or state enterprise zones, or targeted area assistance provided by federal, state, and local government agencies?

The area is currently not located in or immediately adjacent to the Miami-Dade County Enterprise Zone, Neighborhood Revitalization Strategy Area, or in a census block group that meets the area benefit criteria for Community Development Block Grants (CDBG). It is not in a state enterprise or federal empowerment zone. Based on the most recent census data, the City does not meet the Housing and Urban Development Entitlement Grantee criteria of having a minimum population of 50,000. The City will continue to be eligible to apply to Miami-Dade County for CDBG funds subject to compliance with all program rules.

4. Will the annexation impact public safety response times?

Fire and Rescue:

The City is within the Miami-Dade County Fire Rescue District and the area will continue to be served by the same stations and resources within the Fire District. If the annexation is approved, it will not impact MDFR service delivery or affect response times.

Police:

In the event the annexation application is successful, the total service area within UMSA will be 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 UMSA is yet to be determined.

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

This annexation will not introduce barriers to municipal traffic circulation.

2. 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-County's rights-of-way can be found Dade at the following 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.

3. 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?

Approximately 7,236 acres (95 percent) of the proposed annexation area is located within the federally designated 100-year floodplain. This area will flood under sustained rains and property owners are required to obtain flood insurance.

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

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

The proposed annexation area will not be connected by public transportation to municipal government offices commercial centers.

The closest transit service to the annexation area is provided by Metrobus Routes 7, 36, 71, 137 (West Dade Connection), and 238 (East-West Connection/Weekend Express). These Routes converge at Dolphin Mall which is approximately 2 miles away in terms of walking distance from the proposed annexation area. It should be noted that both SR 821 (Homestead Extension of Florida's Turnpike) and SR 836 (Dolphin Expressway) pose a significant physical barrier for pedestrians wishing to access the Routes serving Dolphin Mall.

5. To the degree possible, would the proposed annexation area be contained in one or more school district boundaries governing admission to elementary, middle and high school as the adjoining municipality?

The proposed annexation area is within the same school district boundaries as the adjoining UMSA areas and the City of Sweetwater. The public schools serving the proposed annexation area are: Marjory Stone Douglas Elementary, Eugenia B. Thomas K-8 Center, Paul W. Bell Middle, Zelda Glazer Middle, and G. Holmes Braddock Senior High. The currently designated CDMP land uses in the proposed annexation area may be developed with approximately 1,526 residential units and generate approximately 730 students. Therefore, this proposed annexation may have an impact on public school facilities should it be developed residentially.

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 area does 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 area is not an enclave nor does it create an unincorporated enclave. However, annexation of the proposed area would result in the creation of an unincorporated pocket to the south and east of the proposed annexation area, which would be surrounded by the City of Sweetwater on three sides.

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

The boundaries of the proposed annexation area are mostly logical and generally follow City limits or rights-of-way; however annexation of the proposed area would result in the creation of an unincorporated pocket to the south and east of the proposed annexation area, which would be surrounded by the City of Sweetwater on three sides. The unincorporated pocket will be generally bounded on the east by NW 117 Avenue, on the north by NW 12 Street, and on the west by NW 137 Avenue.

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

The taxable value within the annexation area is \$392,596,304. At the current City of Sweetwater millage rate (2.9200 mills), the ad valorem revenues attributable to the annexation area would be \$1,146,381. At the current UMSA millage rate (1.9283 mills), the ad valorem revenues attributable to the annexation area would be \$757,043 as noted in the table below. The expected tax increase to the entire annexation area would be an additional 0.9917 mills and \$389,338. The average property owner would pay an additional \$737 if this annexation is approved.

	ected Property Tax	Cost	
	of Sweetwater Y 2013-14		
	Millage Rate	Millage x Taxable Value	
City of Sweetwater			
Municipal Millage	2.9200	\$1,146,381	
Unincorporated Area			
UMSA Millage	1.9283	\$757,043	
Increase	0.9917	\$389,338	

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

Approximately 6,745 acres (88 percent) of the proposed annexation area are located outside the 2015 Urban Development Boundary (UDB) of the Adopted 2015 and 2025 LUP map of the CDMP, while the remaining 886 acres are inside the UDB.

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Additionally, the portion of the proposed annexation area between the UDB and NW 147 Avenue and between NW 12 Street and SW 8 Street is within the 2025 Urban Expansion Area (UEA), where urban expansion should occur when warranted. The UEA is not identified on any of the maps within the City's annexation application.

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 \$392,596,304. The area generates an estimated \$863,115 in revenue. The County spends an estimated \$584,896 per year providing services to the area. Therefore, the net revenue gain to the UMSA budget is an estimated \$278,259 (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 \$127,554 and utility taxes of an estimated \$263,807 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 zero residents in the annexation area.

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

The CDMP LUP map designates properties in the proposed annexation area that are inside UDB as designated "Industrial and Office" and "Business and Office". The properties outside the UDB east of theoretical SW/NW 157 Avenue are designated "Open Land", and "Environmental Protection", "Parks and Recreation", and "Open land" on the area west of SW/NW 157 Avenue.

In its application, the City of Sweetwater states that the County's land use and zoning plan designations for the annexation area will be adopted into the City's general land use and zoning plans. The City further states "...the Urban Development Boundary and Expansion Area Boundary policies in the County CDMP will be maintained." However, the City has not indicated how it would address subsequent changes or amendments to the future land use within the proposed annexation area, in order to ensure continued consistency with the CDMP, particularly as it relates the UDB and Urban Expansion Area (UEA). The CDMP's Statement of Legislative Intent provides that:

"The CDMP shall not supersede authority of incorporated municipalities to exercise all powers relating solely to their local affairs as provided by the Miami-Dade County Charter, provided that the following fundamental growth management components of the CDMP that are necessary to carry on a central metropolitan government in Miami-Dade County shall serve as minimum standards for zoning, service and regulation to be implemented through all municipal comprehensive plans and land development

regulations: 1. The Urban Development Boundary (UDB), Urban Expansion Area (UEA) Boundaries, and the CDMP provisions which prescribe allowable land uses and public services and facilities outside the UDB..."

In addition, Section 2-116.1.2 of the Miami-Dade County Code of Ordinances, Applicability of Comprehensive Master Plan to Municipalities, provides that:

- "(a) The location of the Urban Development Boundary (UDB) and permitted land uses outside the UDB shall be governed by the Miami-Dade County Comprehensive Development Master Plan (CDMP) notwithstanding the fact that the UDB may lie within a municipality.
- (b) Any amendments to the UDB line or land uses permitted by the CDMP shall be filled and processed in accordance with procedures for applications located within the unincorporated area.
- (c) All municipal land use decisions outside the UDB line shall be consistent with the CDMP."

Therefore, if the proposed annexation is approved, the Interlocal Agreement (or other instrument) governing the annexation should include provisions requiring changes or amendments to the future land use of any annexed land located outside the UDB to be consistent with the CDMP. Additionally, such Interlocal Agreement should recognize that the County retains jurisdiction over the movement of the UDB, uses within proposed expansions of the UDB, and the modification or release of Declaration of Restrictions accepted by the County in connection with a CDMP amendment (pursuant to Section 20-8.8 of the Code as referenced above).

Furthermore, the "Open Land" designated properties in the annexation area between NW/SW 137 Avenue and theoretical NW/SW 157 Avenue are within:

- Open Land Subarea 2 (Northwest Wellfield) north of NW 12 Street, where land uses that may be considered for approval must be in keeping with the County's adopted Northwest Wellfield Protection Plan, Chapters 24 and 33 of the Code and wetland protection requirements; and where uses that could compromise groundwater quality shall not occur.
- Open Land Subarea 3 (Tamiami-Bird Canal Basins) south of NW 12 Street, where uses where land uses that may be considered for approval must conform to adopted wetland basin plans, and where uses that could compromise groundwater quality shall not occur.
- Rockmining Overlay Zoning Area (ROZA), pursuant to Article XLI of the County Code, and the County's Lake Belt area, where rock mining activities are permitted by right.

The City's annexation application does not address the CDMP requirements of Open Land Subareas 2 and 3 nor the Code provisions for rock mining activities in the ROZA and Lake Belt area. The City should demonstrate how it will ensure consistency with the CDMP for the Open Land subareas and the Code provisions for the ROZA/Lake Belt area.

Demographic Profile of the Area

As shown on the table below, the estimated 2010 Census population of the proposed annexation areas is zero persons, while the City of Sweetwater's population is 13,499 persons.

Table 1

City of Sweetwater (West) Annexation Area
Demographic and Economic Characteristics
City of Sweetwater Area and Miami-Dade County, 2010

	Annex Area Estimates	Sweetwater ¹	Miami-Dade
Population Characteristics, 2010	0	13,499	2,496,435
Percent White, Not Hispanic	0.0	3.5	15.4
Percent Black, Not Hispanic	0.0	0.3	17.1
Percent Other, Not Hispanic	0.0	0.6	2.5
Percent Hispanic Origin	0.0	95.5	65.0
Income ²			
Median Household Income	(212)	\$32,315	\$42,969
Per-capita Income		\$13,052	\$22,619
Housing			
Total Housing Units	0	4,195	989,435

Source: U.S. Census Bureau, Census 2010 Summary File 1; U.S. Census Bureau, 2007-2011 American Community Survey, 5-Year Estimates; and Miami-Dade County, Regulatory and Economic Resources Department, Planning Research Section, September 2013.

¹Note: This data reflects the demographic and economic characteristics within the boundaries of City of Sweetwater on April 1, 2010. It does not reflect any population adjustments due to any subsequent annexations that took place at a later date.

Development Profile of the Area

The table below shows the 2013 land use profile for the proposed annexation area, the City of Sweetwater and Miami-Dade County. Of the approximate 7,631 acres within the proposed annexation area, roughly 47 percent of the land is undeveloped; 27 percent is in parks and recreation use; and 11 percent is inland waters.

The table also shows that approximately 47 percent of the proposed annexation area is undeveloped, while seven percent of the land within the City of Sweetwater is undeveloped. Approximately 27 percent of the land within the proposed annexation area is in parks and recreation use, while one percent of the City's land is in that use. Approximately 11 percent of the proposed annexation area is inland waters, while six percent of the area within the City is inland waters. Approximately four percent of the proposed annexation area is in agricultural use, while none of the land within the City is in agricultural use. In addition, none of the land within the proposed annexation area is in residential or commercial and office uses, while 28 and 13 percent of the land within the City of Sweetwater is in those uses, respectively.

²Note: The Sweetwater Annexation Area has no population or housing units and therefore, no income characteristics.

City of Sweetwater Proposed Annexation Area West Annexation 2013 Existing Land Use

Land Use	Annexation Area (Acres)	Annexation Area (Percent of Total)	City of Sweetwate r (Acres)	City of Sweetwater (Percent of Total)	Miami-Dade County (Acres)	Miami- Dade County (Percent of Total)
Residential	0.0	0.0	435.5	28.4	111,060.5	8.8
Commercial, Office, and						
Transient Residential *	0.0	0.0	200.7	13.1	14,486.5	1.1
Industrial	487.6	6.4	174.0	11.3	17,792.1	1.4
Institutional	21.2	0.3	61.6	4.0	14,561.8	1.1
Parks/Recreation Transportation,	2,037.3	26.7	16.0	1.0	833,384.7	65.8
Communication, Utilities	389.2	5.1	453.4	29.5	87,403.9	6.9
Agriculture	291.6	3.8	0.0	0.0	63,532.4	5.0
Undeveloped	3,549.2	46.5	108.0	7.0	87,150.9	6.9
Inland Waters	855.3	11.2	85.0	5.5	36,937.2	2.9
Total:	7,631.4	100.0	1,534.4	100.0	1,266,309.9	100.0

^{*} Transient Residential includes Hotels and

Motels

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

Departmental Analysis of Annexation Application

Police

According to the application, the City's police department is staffed with 38 full time officers, communications officers, and administrative secretaries. The department also has 75 additional sworn reserve police officers. The City plans to enhance the service to the proposed area and has the desire to install police substations in the newly acquired areas to provide visibility and reduce response times.

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

Year	Criteria	All Calls	Emergency Calls (Code 3)		
2012	Total Calls	624	26	15	583

Year	Part I Crimes	Part II Crimes	Total	
2012	37	7	44	

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

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(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

Presently, the area is served as part of the Unincorporated Municipal Service Area (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 stations and resources within the Fire District in an efficient and effective manner.

The annexation area is comprised primarily of wetlands and vacant land with small portion consisting of industrial and commercial developments. The proposed annexation will not impact existing emergency service or affect response times; however, existing service and response times may be impacted if/when any significant development occurs.

Existing Stations: Presently, Stations 58 and 61 serve the annexation area. Station 58 is located at 12700 SW 6 Street and is equipped with an engine and a rescue totaling seven (7) firefighter/paramedics, 24 hours a day, seven days a week. Station 61 is located at 15155 SW 10 Street and is equipped with an engine along with a specialty brush fire vehicle capable of handling wild land/urban interface fire fighting.

<u>Planned Stations</u>: In an effort to minimize impact to existing service and maintain adequate travel time to emergencies, MDFR is negotiating a parcel of land along the eastern portion of the annexation area for the construction of a new fire station. An estimated completion of construction is unavailable at this time.

Service Delivery - Last Three Calendar Years:

	2010	2011	2012
Life Threatening Emergencies			
Number of Alarms	559	488	449
Average Response Time	6:44	6:30	6:18
Structure Fires			
Number of Alarms	10	12	9
Average Response Time	5:12	3:38	4:01

Service calls in the annexation area do not mirror the remainder of UMSA or the Fire Rescue District because the area is primarily underdeveloped.

As a condition of annexation, the City of Sweetwater through an Interlocal Agreement with Miami-Dade County, shall agree that the proposed annexation area remain within the Miami-Dade Fire Rescue District in perpetuity.

Water and Sewer

The proposed annexation area is 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

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annexation be approved, however, only the Trail Glades Shooting Range and a small portion of the annexation area located within the UDB is currently served by water and sewer.

To comply with the Ocean Outfall Legislation Plan, WASD has proposed facilities within the Sweetwater Annexation area. WASD has initiated the appraisal process to acquire land for the future West District Wastewater Treatment Plant (WWTP), and has drafted a resolution declaring the acquisition of the 246-acre parcel needed for the WDWWTP project, to be a public necessity; and authorizing the County to take all appropriate actions to accomplish acquisition of the subject property by donation, purchase at appraised value, or by eminent domain court proceedings (see attachment). The WWTP is proposed in the area west of NW 137 Avenue, north of NW 6 Street. As such, the Department is concerned about any incompatible uses that might occur in the vicinity of the proposed WWTP facility resulting in a negative impact to the operation of the facility.

Public Works and Waste Management (PWWM)

Waste Collection, Disposal and Recycling

The City of Sweetwater currently provides residential garbage and trash collection service through a private hauler. The City has an existing waste disposal agreement with the County which extends to year 2032. Upon annexation, the PWWM will continue to provide services for the collection and disposal of refuse and recycling for City of Sweetwater residential units, unless the County elects to delegate this authority to the City. In the event undeveloped land within the proposed annexation area (approximately 3,549 acres) is developed for residential uses, the PWWM will provide collection and disposal services to those units and the same option for the delegation of authority would apply to the future units as well.

Code Sections 20-8.4 and 15-13 permit the Public Works and Waste Management Department (PWWM) to delegate the authority to collect residential waste to the governing body of the municipality in those geographic areas comprising the Waste Collection Service Area (WCSA) as of February 1996. If the City desires to collect waste in the newly annexed areas, the City may request an interlocal agreement with Miami-Dade County for delegation of solid waste collection authority. A separate delegation agreement is required for each annexation request. Any municipality that requests delegation of waste collection authority in a proposed annexation area must have an existing 20-year waste disposal agreement with the County. At the present time, delegation of waste collection authority by the PWWM is under review by the Department's Bond Engineer. Further delegations are subject to the outcome of that review.

Street Maintenance

The proposed Sweetwater West Annexation Area is composed of approximately 34.0 lane miles. Approximately 8.0 miles will be transferred to City of Sweetwater. The County is proposing to keep the following roads (approximately 26.0 lane miles):

NW 137 Avenue from NW 12 Street to NW 25 Street

NW 127 Avenue from NW 12 Street to NW 25 Street

NW 12 Street from NW 137 Avenue to NW 117 Avenue

NW 17 Street from NW 137 Avenue to NW 127 Avenue

NW 25 Street from NW 137 Avenue to NW 117 Avenue

According to the application, "It is expected that the large majority of roads and streets built in the future would be constructed or improved by private development and maintained by the City of Sweetwater.

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Bridge, Canals and Mosquito Control Services

The proposed annexation bears no impact to services provided by PWWM. It is important to note the annexation area contains a Trail Glades Range and there is a Back Flow Area that belongs to the South Florida Water Management District (SFWMD).

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 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 CO₂ reduction and environmental education in general. The office can be contacted at 305-372-6784 for additional information regarding these services.

Enforcement Activities

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

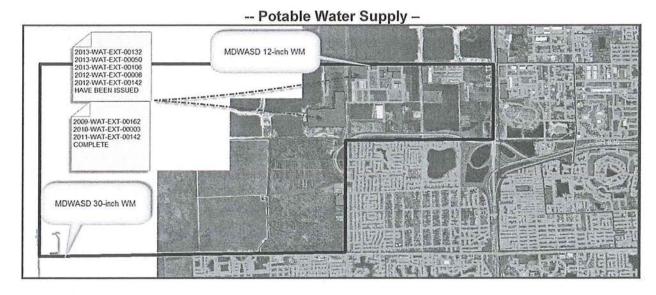
DERM's regulatory activities are enforceable under the Code in both incorporated and unincorporated areas. DERM currently provides the above services to the subject area. Annexation of the parcels will not affect the ability to provide adequate levels of service to the areas being annexed or to the areas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

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Water Supply and Distribution

The majority of the area proposed for annexation is located within the WASD's franchised service area; however most of the area to be annexed is outside of the Urban Development Boundary (UDB) where water and sewer services are not typically provided. A 30-inch Distribution water main runs along SW 8 Street at the south of the subject area. A 12-inch Distribution water main runs along NW 25 Street from NW 117 Avenue to approximately NW 132 Avenue at the north side of the subject area.

The sources of water for this area are the Alexander Orr Water Treatment Plant for the south side and the Hialeah Preston Water Treatment Plants for the north side, which are owned and operated by WASD. At this time the plants have sufficient capacity to provide current water demand. The plants are presently producing water that meets Federal, State, and County drinking water standards.



Facilities for the Collection and Treatment of Sewage

The majority of the area proposed for annexation is located outside the MDWASD franchised service area. Two force mains, a 20-inch and a 24-inch, run along SW 8th Street to approximately SW 155th Court, at the south of the subject area. A 12-inch force main runs along NW 25th Street approximately to NW 127th Avenue at the north of the subject area. A 16-inch force main is located at the intersection of Krome Avenue & SW 8th Street at the west side of the subject area, and 16-inch force main is located at the intersection of NW 137th Avenue & NW 12th Street, at the east side of the subject area.

The 16-inch force main at the east side directs the sewage flow to Pump Station 30-0003, then to the Central District Wastewater Treatment Plant; the other force mains direct the sewage flow to the Central District Wastewater Treatment Plan.

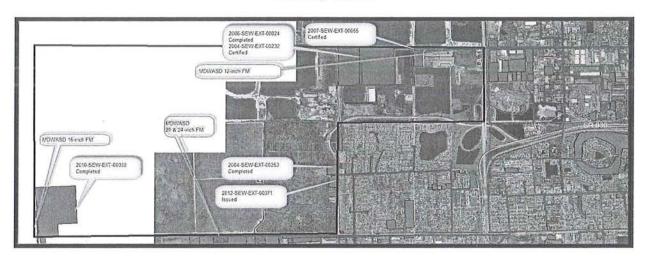
The aforementioned sanitary sewer pump station and the Central District Wastewater Treatment Plant are owned and operated by Miami Dade Water and Sewer Department; these structures are currently working within the mandated criteria set forth in the First and Second Partial

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Consent Decree between the County and the Federal Government. At this time the Central District Wastewater Treatment Plant has sufficient capacity to treat current discharge.

The development of those properties outside the UDB would require septic tank systems as a means of sewage disposal. The Miami-Dade County Comprehensive Development Master Plan (CDMP) recommends septic tanks should be avoided in wellfield protection areas or where private wells are in use.

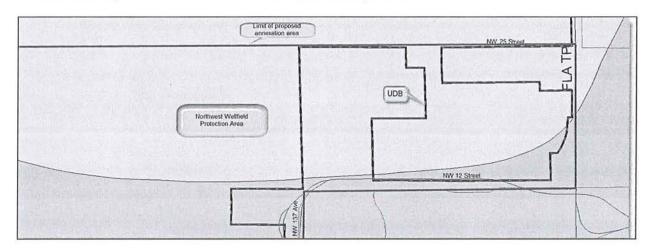
--Sanitary Sewer -

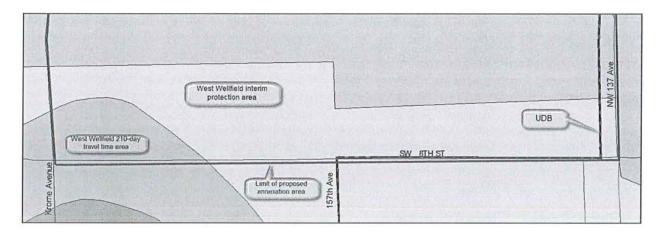


Wellfield Protection Areas

The northern portion of the application (north of NW 12 Street) falls within the Northwest Wellfield protection area. The Northwest Wellfield represents the largest source of drinking water for the citizens of Miami-Dade County and is one of the county's most pristine wellfield areas.

The southern portion of the proposed annexation area, north of SW 8 Street, from NW 137 Avenue to Krome Avenue is located within the interim area of the West Wellfield protection area. The Southwest portion of the annexation area, at the intersection of SW 8 Street and Krome Avenue, falls within the West Wellfield Interim protection area.





The Board has approved wellfield protection ordinances that provide stringent land use restrictions within these wellfield areas. The land use protections are intended to ensure that these areas remain predominantly undeveloped, and to maintain pristine water quality within these wellfields by excluding land uses that could compromise groundwater quality and pose a threat to drinking water resources.

Section 24-43 of the Code provides that written approval is required from the RER Director or his designee prior to the approval of any land use within the Northwest Wellfield and the West Wellfield Interim protection area and that such approval is issued only if the proposed land use is located within the UDB, the land use(s) requested is one or more of the land uses provided in Table E-1 of the Code, and is not a land use found exclusively in the following Miami-Dade County zoning classifications or that the zoning classification requested is not one or more of the following Miami-Dade County zoning classifications: BU-3 (excluding those land uses permitted by BU-1, BU-1A or BU-2), IU-1, IU-2, IU-3 or IU-C.

A majority of the proposed annexation is located outside the UDB, where neither public water nor public sanitary sewers can be extended to serve the area. Consequently any proposed development would have to be served by an on-site drinking water supply well as source of potable water, and by a septic than and drainfield system as a means for the disposal of the domestic liquid waste. Section 24-43(4)(a) of the Code provides that only residential or uses ancillary to rock mining are allowed to be served by a septic tank within the Northwest Wellfield protection area or within that portion of the West Wellfield Interim protection area which is west of the UDB. Furthermore, the allowable uses are subject to sewage loading requirements which shall not exceed seventy (70) gallons per day per acre and septic tanks shall be located within an area of 20,780 square feet of unsubmerged land.

Section 24-43(7) of the Code requires any excavation within the Northwest Wellfield protection area, or within the basic wellfield protection area, including lake excavation activities, be approved by DERM.

With the increasing concerns for sea level rise and resulting salt water intrusion, it is imperative that the water resources of these wellfields continue to be afforded the highest level of protection since it represents the County's most westward large wellfields and as such will become the County's main source of potable water in the event that other wellfields are compromised by salt water intrusion.

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Proposed development in the annexation area would be subject to land use restrictions, sewage loading restrictions and stormwater disposal restrictions as regulated by Code within this area of the wellfield. In addition, hazardous materials and hazardous waste shall not be used, generated, handled, disposed of, discharged or stored within this portion of the wellfield. The CDMP specifically states:

- CDMP Land Use Element LU-3B: all significant natural resources and systems including adopted wellfield protection plans shall be protected from incompatible land use.
- CDMP Water and Sewer Sub-element WS-1D: the County shall protect the integrity of groundwater within wellfield protection areas by strict adherence to the Wellfield Protection Ordinances, by rigorous enforcement of sanitary sewer requirements, hazardous waste prohibitions, land use restrictions, and all other applicable regulations.

Stormwater Utility (SWU) Program and Fees

The annexation will not have any significant impact to the stormwater master plan.

There are two C-4 impoundments within the proposed annexation area. Any proposed development must take into consideration any existing infrastructure serving the impoundment areas, as these impoundment areas have become extremely important drainage features. Close coordination with the SFWMD is recommended.

Currently, improved properties in the proposed annexation area are paying a stormwater utility fee to the County. This fee is used to administer stormwater management programs throughout UMSA. It is expected that these stormwater utility accounts would immediately become part of the Sweetwater service area when the annexation is formally approved.

In October of 2000, the City was exempted from the County's Stormwater Utility. Therefore, all fees collected in the proposed annexation area after approval of the annexation will become City fees.

At the time of annexation, three conditions will continue to be required as part of this annexation:

- 1. The City must execute a billing agreement with WASD to continue billing in the WASD service area;
- 2. The City must execute or modify a cost-share Interlocal Agreement with the County for canal maintenance activities; and
- 3. The City must pay its pro-rata share of the debt service on the 1999 and 2004 Stormwater Utility Revenue Bonds ("Bonds") for the proposed annexation area.

Additionally, payment to the County for the annexation area's debt service on the Bonds, and secondary canal maintenance initiate immediately upon annexation. Actual costs for the above will be determined at the time of annexation.

Canal Maintenance and Water Control Structures

A review of the County's Water Control Plan reveals that the NW 25 Street Water Control Structure, the NW 12 Street Water Control Structure, the NW 25 Street Canal (Northline), the NW 137 Avenue Canal (Mud Creek Canal), and other drainage ditches serve the proposed annexation area.

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The proposed annexation cannot affect the existing county right of flows of the Dade Broward Levee, the NW 25th Street Ditch South, Krome Ave Ditch, and Mud Creek Canal (NW 137 Avenue Canal).

Drainage Permitting

Stormwater drainage systems may be required in new developments within the proposed annexation area to reduce potential flooding and to improve the water quality of the storm water runoff. Portions of the proposed annexation area are within the North Trail Basin Cut and Fill area. Each development in this area requires a water management area set aside for flood protection.

DERM issues the Environmental Resources Permit (ERP) on behalf of the South Florida Water Management District. Jurisdiction to require an ERP is countywide, and is dependent upon the size of the development. In addition, DERM has authority under Section 24.48.1 of the Code, for the issuance of a number of drainage permits, which include: Class II (for drainage overflows), Class III (works within County canals), Class V (dewatering permits), and Class VI (drainage systems within industrial land use). These requirements and permit authority would continue to exist in the annexation area. In addition to the applicable review and approvals required for drainage systems pursuant to the Code, any proposed drainage in a contaminated site shall also require review and approval by DERM prior to the city issuing building permits.

Drainage and Flood Protection

The entire annexation area is located within Flood Zone AE, elevation 7.0, which is a flood plain, as per FEMA's (Federal Emergency Management Agency's) definition of the 100 year flood event. Flooding may occur up to 7.0 feet above sea level. County Flood Criteria ranges between elevation +7.50 feet and +10.00 feet National Geodetic Vertical Datum. Any development in the annexation area shall comply with the requirements of Chapter 11C of the Code for flood protection.

National Flood Insurance Program (NFIP)

The NFIP is a program where FEMA agrees to subsidize flood insurance policies for community residents, if the community agrees and enforce minimum flood protection standards.

In 1993 FEMA mandated that all incorporated areas in Miami-Dade County regulate their respective floodplain management ordinances 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.

A voluntary program associated with the NFIP is called the Community Rating System (CRS). This program rewards communities that improve their flood protection activities with flood insurance discounts for its residents. Residents of the unincorporated area of the County currently enjoy a 25 percent discount on their flood insurance policies if they live in a flood zone, and a 10 percent discount if they are outside the flood zone.

If the City of Sweetwater annexes the area in question, the residents within the annexation area will lose the current County CRS discount. If the City participates in the CRS, the residents will enjoy the City's current CRS rating and attendant discount.

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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 current and future drainage needs. By planning for future drainage needs, the County can ensure that the level of flood protection service provided to residents is maintained, and that polluted stormwater runoff is treated before being discharged.

Although the County cannot map and propose drainage projects in incorporated areas, County roads lie within incorporated boundaries. In these areas, the County will model the basins where these roads exist, using the best available data provided by the municipalities. 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 City staff any data that would assist in modeling these areas. Cooperation between the City 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 City 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 can consist of sampling programs, educational programs, street sweeping and drainage maintenance, and various other best management programs.

Miami-Dade County's NPDES permit is a joint permit with 29 municipalities and Miami-Dade County as the lead agency. Because sampling of stormwater runoff is required, the County performs the sampling and all parties to the permit share the costs. Cities are also required to pay an annual permit fee to the state based on each city's percentage of total outfalls. The County recommends that the City of Sweetwater join the permitting program.

Transfer of Roads

If the proposed annexation is approved, certain County roads located within the annexation area will be transferred to the City through an interlocal agreement. This agreement would outline the subject roads, various road-related services, and the responsibilities of the City and the County for these services. Because the City has its own stormwater utility, maintenance of the drainage systems within residential local roadways would become the City's responsibility upon execution of such an agreement.

Pollution Control

The following records of current contaminated sites were identified within the proposed annexation area:

- Folio 3039530000157: DERM file SW-1806
- Folio 3039530000143: DERM file SW-1426
- Folio 3049030030018: DERM file IW5-15156
- Folio 3039360000016: DERM file SW-1172
- Folio 3039360000080: DERM file SW-1468

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Tree Preservation

Portions of the annexation area contain tree resources. Section 24-49 of the Code provides for the preservation and protection of tree resources. Any tree resources within areas not designated as wetlands will require a Miami-Dade County Tree Removal Permit prior to removal and/or relocation.

Coastal and Wetlands Resources

The annexation application states that the city seeks to diversify its land distribution by including undeveloped industrial lands for future economic development in the proposed annexation lands and that the UDB and Expansion Area Boundary policies in the CDMP will be maintained. The application also references future development (commercial and industrial) in the annexation area; however the proposed annexation area is significant and specifics of the location of the proposed development are not stated.

The annexation area lies within the North Trail, Pennsuco and Transitional Northeast Everglades Wetlands Basins; portions of this area contain wetlands as defined by Section 24-5 of the Code. A Class IV Wetlands Permit will be required prior to any work in wetlands. In addition, approvals or permits from the United States Army Corps of Engineers, the Florida Department of Environmental Protection and the SFWMD may be required for work in wetlands. It will be applicant's responsibility to contact these agencies.

The majority of the area is located outside the UDB, within the wellfield protection areas for the Northwest and West Wellfields, large portions are publicly owned and portions of the annexation area contain lands that are designated in the County's CDMP as Open Land Subarea 3 (Tamiami-Bird Canal Basin), Environmental Protection Area Subarea C (Miami-Dade-Broward Levee Basin) and "Future Wetlands" which provide habitat for threatened or endangered species.

Several objectives and policies of the CDMP directly relate to future development of the annexation area. The uses permitted within the proposed annexation areas must be compatible with the adopted goals, objectives and policies of the CDMP and must conform to the prevailing environmental regulations and shall not adversely affect the long term viability, form or function of these ecosystems.

The annexation of properties outside of the Urban Development Boundary, as well as lands that have been designated Environmental Protection would be inconsistent with CDMP policies that protect Future Wetlands and lands designated as Environmental Protection from incompatible land uses.

DERM recommends that the sites outside of the UDB and the areas designated environmental protection be excluded from the annexation area.

Air Quality

The proposed annexation application states that all County UDB, Expansion Area Boundary and CDMP requirements and policies will be maintained. Therefore, no inconsistency with applicable federal, state and local air quality regulatory criteria is foreseen for this annexation request at this time.

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Parks, Recreation and Open Spaces

The Trail Glades Range is within the proposed annexation area. The County will maintain jurisdictional control of this facility should the annexation be approved.

Demographic Profile of the Area

As shown on the table below, the estimated 2010 Census population of the proposed annexation areas is zero persons, while the City of Sweetwater's population is 13,499 persons.

Table 1

City of Sweetwater (West) Annexation Area
Demographic and Economic Characteristics
City of Sweetwater Area and Miami-Dade County, 2010

	Annex Area Estimates	Sweetwater ¹	Miami-Dade
Population Characteristics, 2010	0	13,499	2,496,435
Percent White, Not Hispanic	0.0	3.5	15.4
Percent Black, Not Hispanic	0.0	0.3	17.1
Percent Other, Not Hispanic	0.0	0.6	2.5
Percent Hispanic Origin	0.0	95.5	65.0
Income ²			
Median Household Income	200 m	\$32,315	\$42,969
Per-capita Income		\$13,052	\$22,619
Housing			
Total Housing Units	0	4,195	989,435

Source: U.S. Census Bureau, Census 2010 Summary File 1; U.S. Census Bureau, 2007-2011 American Community Survey, 5-Year Estimates; and Miami-Dade County, Regulatory and Economic Resources Department, Planning Research Section, September 2013.

¹Note: This data reflects the demographic and economic characteristics within the boundaries of City of Sweetwater on April 1, 2010. It does not reflect any population adjustments due to any subsequent annexations that took place at a later date.

²Note: The Sweetwater Annexation Area has no population or housing units and therefore, no income characteristics.

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Development Profile of the Area

The table below shows the 2013 land use profile for the proposed annexation area, the City of Sweetwater and Miami-Dade County. Of the approximate 7,631 acres within the proposed annexation area, roughly 47 percent of the land is undeveloped; 27 percent is in parks and recreation use; and 11 percent is inland waters.

The table also shows that approximately 47 percent of the proposed annexation area is undeveloped, while seven percent of the land within the City of Sweetwater is undeveloped. Approximately 27 percent of the land within the proposed annexation area is in parks and recreation use, while one percent of the City's land is in that use. Approximately 11 percent of the proposed annexation area is inland waters, while six percent of the area within the City is inland waters. Approximately four percent of the proposed annexation area is in agricultural use, while none of the land within the City is in agricultural use. In addition, none of the land within the proposed annexation area is in residential or commercial and office uses, while 28 and 13 percent of the land within the City of Sweetwater is in those uses, respectively.

City of Sweetwater Proposed Annexation Area West Annexation 2013 Existing Land Use

Land Use	Annexation Area (Acres)	Annexation Area (Percent of Total)	City of Sweetwater (Acres)	City of Sweetwater (Percent of Total)	Miami-Dade County (Acres)	Miami- Dade County (Percent of Total)
Residential	0.0	0.0	435.5	28.4	111,060.5	8.8
Commercial, Office, and						
Transient Residential *	0.0	0.0	200.7	13.1	14,486.5	1.1
Industrial	487.6	6.4	174.0	11.3	17,792.1	1.4
Institutional	21.2	0.3	61.6	4.0	14,561.8	1.1
Parks/Recreation Transportation,	2,037.3	26.7	16.0	1.0	833,384.7	65.8
Communication, Utilities	389.2	5.1	453.4	29.5	87,403.9	6.9
Agriculture	291.6	3.8	0.0	0.0	63,532.4	5.0
Undeveloped	3,549.2	46.5	108.0	7.0	87,150.9	6.9
Inland Waters	855.3	11.2	85.0	5.5	36,937.2	2.9
Total:	7,631.4	100.0	1,534.4	100.0	1,266,309.9	100.0

^{*} Transient Residential includes Hotels and

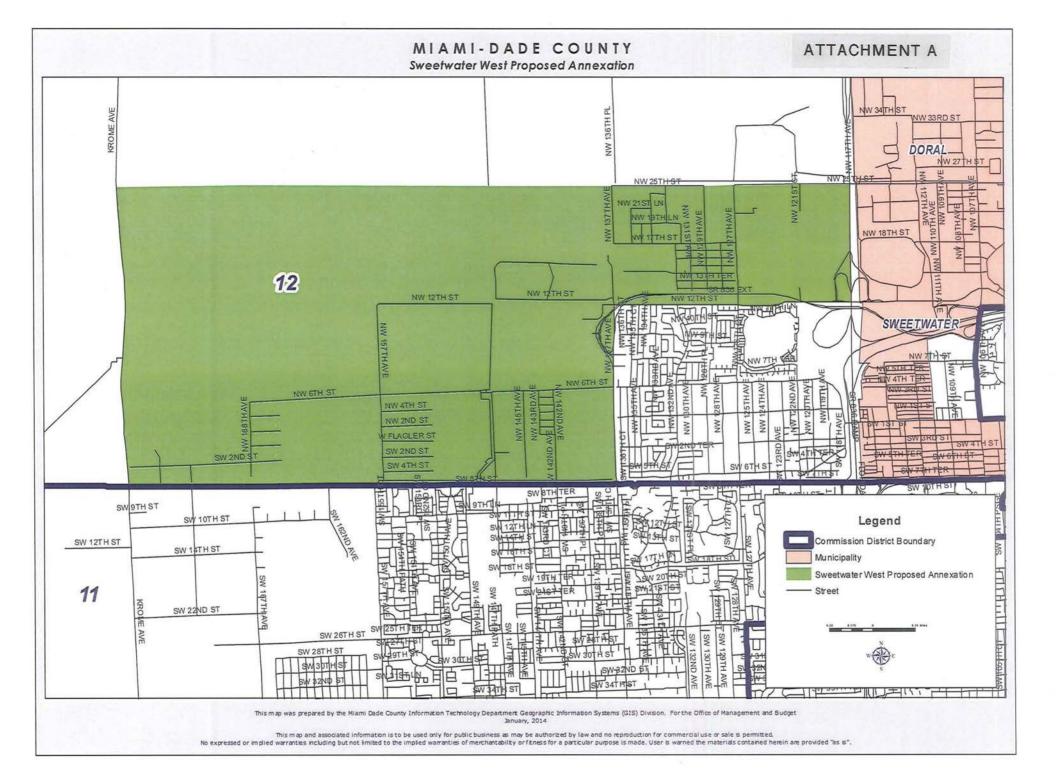
Motels

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

Attachments:

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

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



Estimated Impact to UMSA Budget - Sweetwater West Annexation

ATTACHMENT B

Annexation Assumptions		
Allocation based on tax roll & millage		\$719,000
N/A		
Allocation based on \$68.69 per person		\$69
N/A		
Allocated based on tax roll/population		\$143,40
Allocation based on \$0.24 per person		\$1
Allocation based on \$1.78 per person		\$2
Allocation based on .079% of total revenue		\$681
Allocation based on \$1.55 per person		\$2
		\$863,155
		\$442,839
Based on cost of parks		\$0
Centerline miles times cost per lane mile		\$59,347
		44.040
	_	44,243
1	with-	-
Direct cost times 7.66%	\$	38,467
	\$	584,896
		\$278,259
	Allocation based on tax roll & millage N/A Allocation based on \$68.69 per person N/A Allocated based on tax roll/population Allocation based on \$0.24 per person Allocation based on \$1.78 per person Allocation based on .079% of total revenue Allocation based on \$1.55 per person Based on cost of parks Centerline miles times cost per lane mile Direct cost times 8.81% Utility Taxes as a % of debt service 15%	Allocation based on tax roll & millage N/A Allocation based on \$68.69 per person N/A Allocated based on tax roll/population Allocation based on \$0.24 per person Allocation based on \$1.78 per person Allocation based on .079% of total revenue Allocation based on \$1.55 per person Based on cost of parks Centerline miles times cost per lane mile Direct cost times 8.81% \$ Utility Taxes as a % of debt service 15% \$ Direct cost times 7.66% \$

- 1. Does not include gas tax funded projects
- 2. Does not include canal maintenance revenues or expenses
- 3. Does not include proprietary activities: Building, Zoning, Solid Waste
- 4. Does not include Fire and Library Districts

5. Revenues are based on allocations not actuals pisciamer: 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 LIMSA.

2013 Taxable Property Rolls \$392,596,304 2013 Area Population 2013 UMSA Population 1,102,142 1.9283 2013-14 UMSA Millage 207.90 Patrollable Sq. Miles - UMSA 615,684 Total Calls For Service - UMSA CY 2012 Part 1 Crimes - UMSA 2012 51,222 Part 2 Crimes - UMSA 2012 22,889 Patrollable Sq. Miles - Study Area 624 Total Calls for Service - Study Area 37 Part 1 Crimes - Study Area Part 2 Crimes - Study Area Cost per Centerline Mile \$1,745 Number of Centerline Miles 34 N/A Per Capita Taxable Value