

# MEMORANDUM

Agenda Item No. 5(G)

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**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**DATE:** July 7, 2022

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Resolution relating to the annexation request of the City of Miami Springs; directing, after a public hearing, pursuant to section 20-7(B) of the Code, that the County Attorney prepare the appropriate ordinance and interlocal agreement to effectuate the annexation request, or denying or deferring the annexation request

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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 Rebeca Sosa.



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Geri Bonzon-Keenan  
County Attorney

GBK/smm

**Date:** July 7, 2022

**To:** Honorable Chairman Jose “Pepe” Diaz  
and Members, Board of County Commissioners

**From:** Daniella Levine Cava  
Mayor 

**Subject:** City of Miami Springs Annexation Application

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It is recommended that, pursuant to Chapter 20-7(B) of the Code of Miami-Dade County (Code) and following the required public hearing, the Board of County Commissioners (Board) consider the accompanying resolution to take one of the following actions:

- Deny the requested boundary change as presented by the City of Miami Springs (City);
- Approve the boundary change and direct the County Attorney to prepare an appropriate ordinance and agreements accomplishing the proposed boundary change and place the items on the appropriate agenda; or
- Defer such requested boundary change for further consideration at a subsequent meeting.

### **Recommendation**

It is recommended that the Board, pursuant to Chapter 20 of the Code, consider the boundary change requested by the City. The City is proposing to annex an area east to the City’s current western boundary as detailed in Exhibit 1 to the resolution. The proposed annexation area is not deemed an enclave, as defined in Chapter 20 of the Code, nor would the annexation create an unincorporated enclave. In addition, the proposed annexation request complies with the requirements of Section 20-3.1 of the Code.

### **Scope**

The proposed annexation area is approximately 1,018 acres or 1.59 square miles of the Unincorporated Municipal Service Area (UMSA) and is entirely within County Commission District 6, represented by Rebeca Sosa.

The proposed annexation area is generally bounded on the south by NW 36th Street, on the west by State Road 826, on the north by the NW 7 4th Street Connector, on the east by the City’s current western boundary (theoretical NW 67<sup>th</sup> Avenue) and the FEC Tracts to the west of the City’s boundary, as depicted in Exhibit 1 to the resolution.

### **Delegation of Authority**

This item does not delegate any authority to the Mayor.

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

Exhibit 2 to the resolution sets forth the fiscal impact to UMSA of the proposed annexation area. The 2021 preliminary roll taxable value within the proposed annexation area is \$1,105,283,156. As shown in Exhibit 2, the area generates an estimated \$2,557,119 in revenue. The County spends an estimated \$2,098,280 per year providing services to the area. Therefore, the net revenue loss to the UMSA budget is an estimated \$458,839 if the area were to be annexed.



If the current City millage rate 7.2095 mills were to be applied, the ad valorem revenues attributable to the annexation area would be \$7,570,112. At the current UMSA millage rate (1.9283 mills), the ad valorem revenues attributable to the annexation area is \$2,024,752. The expected tax increase to the annexation area would be 5.2812 mills and \$5,545,360. There are 862 property folios in the area, and the average property owner would pay an additional \$6,433 per year if this annexation is approved.

The entire annexation area is a Commercial Business Industrial (CBI) area. The Miami-Dade County Code Section 20-28 requires all municipalities annexing a Commercial Business Industrial (CBI) area to mitigate 100% of the net excess of revenues minus expenses for the CBI annexation area. Based on the information listed above, the net revenue loss to UMSA is \$458,839, the City will be required to pay the County this amount annually, adjusted for the Consumer Price Index for the Miami-Ft. Lauderdale-West Palm area.

Historically, for prior mitigation payments that the Board required under other provisions of the Code, this Board has required or has modified mitigation payments so that they would not be required after 7 years. It is recommended that the City be required to make these payments for only 7 years and that such limitation be reflected as appropriate in the Ordinance. The City would make these payments upon approval of the annexation.

Additionally, pursuant to Section 20-8.2 of the Code, the County shall forever retain all of the area’s utility tax revenues upon annexation. For the proposed annexation, utility taxes estimated to be \$621,802 will be retained by the County.

#### **Track Record/Monitor**

If the annexation is approved, Rasha Cameau in the Office of Management and Budget (OMB) will monitor the interlocal agreement governing the annexation area.

#### **Background**

On August 9, 2017, the City submitted a boundary change application to the Miami-Dade County Clerk of the Board. The Board referred the application to the Planning Advisory Board (PAB) at the December 5, 2017 Board meeting. As required by Section 20-6 of the Code, OMB reviewed the application, compiled the staff report and processed the applicable for PAB consideration. The staff report reviewed by the PAB is attached as Exhibit 5 to the resolution. After reviewing the staff report and Code considerations, on May 6, 2019, the PAB held a public hearing and recommended to the Board that the annexation be denied (see Exhibit 3 to the resolution). The public hearing was advertised as required by the Code.

This annexation is being considered along with the annexation applications from the Village of Virginia Gardens, Town of Medley, and City of Doral as depicted in the map as Exhibit 4. The areas being requested by the four municipalities are not in conflict with each other. The Board requested these annexation requests be considered at the same time. It is important to note that at the May 6, 2019 PAB hearing, the Village of Virginia Gardens asked to return to the PAB at a later date. Accordingly, on July 26, 2021, the PAB held a public hearing on the Virginia Gardens annexation request. As a result, the annexations have been processed for Board consideration.

The Code requires a vote of the resident electors if the area has more than 250 resident electors or is more than 50 percent developed as residential property. The annexation area contains one (1) registered voter and is not more than 50 percent developed residentially. Therefore, should the Board approve the annexation, a vote of the electors in the annexation area will not be required.

### **Charter Considerations**

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

The annexation area consists of industrial use and transportation/communication/utilities uses, there is minimal amount of residential use within the area. Land use in the annexation area is detailed on page 10 of the staff report to the Planning Advisory Board (Exhibit 5 to resolution).

### **Summary of Issues for Consideration**

1. The City is within the Miami-Dade Fire Rescue (MDFR) District and the Miami-Dade Library District. The City has represented that they will remain in those districts and that the proposed interlocal agreement will include language providing that the annexation area will remain within those districts in perpetuity.
2. It is recommended that the following facilities in the annexation area shall be designated as Facilities of Countywide Significance, so that the County would therefore retain regulatory control over said facilities:
  - Turner Guilford Knight Correctional Center (7000 NW 41st Street);
  - Miami-Dade Water and Sewer Department (WASD) storage yard (7301 NW 70<sup>th</sup> Street);
  - WASD Medley Hydrant Shop and office (7300 NW 74<sup>th</sup> Street);
  - WASD pump stations 0195, 0182, 0194, 0197, 0192, and 0193.
3. The County is proposing to keep the following roads (approximately 0.3 centerline miles) located within the annexation area:
  - NW 58th Street from SR 826 East ramps to East of NW 72nd Avenue; and
  - NW South River Drive from SR 934 to 300' NW of Crane Avenue (Miami Springs City limits).
4. The City must execute a cost-share Interlocal Agreement with the County for canal and/or drainage system maintenance activities.
5. The City shall pay its pro-rata share of the debt service on the County's Stormwater Utility Revenue Bonds, for the annexed area estimated to be \$153,000 yearly until 2029. Payment to the County for the City's debt service on these bonds and secondary canal maintenance will initiate immediately upon annexation.
6. Some of the proposed annexation area lies within ½ mile from the SMART Plan Corridor, which has already been designated as a Facility of Countywide Significance (as depicted in Exhibit 4), over which the County will retain regulatory control.
7. The annexation area excludes terminals designated in the County's Comprehensive Development Master Plan, but includes areas located within ½ mile of such terminals. Per

the guidelines in Section 20-7(A)(8), the County should retain applicable master plan and regulatory authority over such surrounding ½ mile areas, so as to protect the operations, land uses authorized within such areas, and further development of areas designated terminals and surrounding areas located therein. As such, to facilitate this, the areas within 1/2 mile of a designated terminal shall be designated as Areas or Facilities of County Wide Significance.

8. If any zoning covenants are in effect at the time of annexation, the City must comply with Section 20-8.8 of the Code which provides that the County shall retain jurisdiction over all land use and zoning covenants within the annexation area.

### **Code Considerations**

Pursuant to Section 20-7 of the Code, after the public hearing, the Board in evaluating the boundary change shall consider the following guidelines:

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 having a majority of ethnic minority or lower income residents have petitioned to be in the annexation areas.*

- c) Is the area, or does it create, an unincorporated enclave (an 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, and should the area be annexed to the City, will not create an enclave. The terminal designated by the CDMP will not be annexed, but is not an enclave because, per Section 20-7(A)(i)(c), it can be serviced efficiently and effectively by the County. Furthermore, Chapter 20 includes policies that discourage the annexation of terminals.*

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

*The boundaries of the proposed annexation area generally follow road rights-of-way along major roadways. The Florida East Coast railroad tracks serves as the eastern boundary barrier.*

2. Land use and Zoning Covenants – Provide a listing of all declaration of restrictions within the annexation area (include folios and copies of covenants).

*The Board of County Commissioners shall require, as a condition of municipal boundary change, that the Board retain jurisdiction over the modification or deletion of declarations of restrictive covenants accepted by either the Board or a Community Zoning Appeals Board in connection with a Comprehensive Development Master Plan application or zoning application, regardless of whether such declaration provides for modification or deletion by a successor governmental body. If any zoning covenants are in effect at the time of annexation, the City of Miami Springs must comply with Section 20-8.8 of the Code of Miami-Dade County. It is provided, however, that the Board may not exercise such jurisdiction unless the applicable municipality has first approved the modification or deletion. In the event that any such declaration of restrictive covenant is not brought to the Board of County Commissioners, any action relating to the covenant by the municipality shall not be deemed final until the requirement of County approval is complied with. The identification of any declarations of restrictive covenants subject to this paragraph shall be the responsibility of each zoning applicant in the applicable municipality.*

3. 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 2021 preliminary roll taxable value within the proposed annexation area is \$1,105,283,156. At the current City millage rate (7.2095mills), the ad valorem revenues attributable to the annexation area would be \$7,570,112. At the current UMSA millage rate (1.9283 mills), the ad valorem revenues attributable to the annexation area would be \$2,024,752. The expected tax increase to the entire annexation area would be 5.2812 mills and \$5,545,360. There are 862 property folios in the proposed annexation area. The average property owner would pay an additional \$6,433 annually if this annexation is approved.*

4. Relationship of the proposed annexation area to the Urban Development Boundary of the County's Comprehensive Development Master Plan.

*The proposed annexation area is located inside the 2020 Urban Development Boundary (UDB) of the Adopted 2020 and 2030 Land Use Plan (LUP) map of the CDMP.*

5. 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 remaining adjacent unincorporated areas?

*The total taxable value of the annexation area is \$1,105,283,156. The area generates an estimated \$2,557,119 in revenues. The County spends an estimated \$2,098,280 per year*

*providing services to the area. Therefore, the net revenue loss to the UMSA budget is an estimated \$458,839 (Exhibit 2 to the resolution).*

*Pursuant to Section 20-8.2 of the Code, the County retains all utility tax revenues of the area upon annexation. For the proposed annexation, utility taxes of an estimated \$621,802 will be retained by the County.*

*The County will continue to provide services efficiently and effectively to the remaining adjacent unincorporated areas should this annexation be approved.*

6. 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?

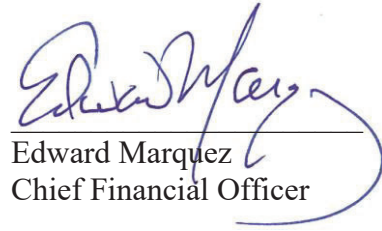
*The proposed annexation area has one (1) resident, therefore this metric is not applicable.*

7. Is the annexation consistent with the Land Use Plan of the County’s Comprehensive Development Master Plan?

*The proposed annexation area is mainly zoned IU-1 (Light Manufacturing), IU-2 (Heavy Manufacturing), and IU-3 (Unlimited Manufacturing) with certain small areas zoned BU-1A (Limited Business) and BU-3 (Liberal Business) along NW 36 Street. Existing uses within the annexation area are mainly industrial uses with scattered small commercial operations. There are government facilities within the area including a correctional facility at the northeast corner of the intersection of NW 36 Street and NW 72 Avenue. The City is mainly composed of residential uses with scattered small retail operations, office uses, schools, and recreational areas. On page 54 of the Annexation application, the City states that upon annexation, the municipality will amend its comprehensive plan to incorporate applicable land uses as necessary. Furthermore, on page 56 of the application, the City states it will rezone, upon annexation, those properties to the municipality’s closest equivalent or amend its land development regulations to incorporate new zoning districts. The City further states, on page 5 of the application of Exhibit 5, that additional zoning districts will be created for additional uses not already included in the zoning code of the municipality. Therefore, if the area is annexed and the City’s Comprehensive Plan is amended, the area will be compatible.*

8. Does the proposed annexation exclude areas designated terminals on County’s Adopted Land Use Plan Map?

*The annexation area excludes areas designated as terminals, but the majority of the proposed annexation area consists of surrounding areas which lie within ½ mile of a Comprehensive Development Master Plan designated Terminal (as depicted in Exhibit 5, Attachment C).*



Edward Marquez  
Chief Financial Officer






## MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**DATE:** July 7, 2022

**FROM:**   
Gen Bonzon-Keenan  
County Attorney

**SUBJECT:** Agenda Item No. 5(G)

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
- ☐ Statement of social equity 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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ 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. 5(G)  
7-7-22

RESOLUTION NO. \_\_\_\_\_

RESOLUTION RELATING TO THE ANNEXATION REQUEST OF THE CITY OF MIAMI SPRINGS; DIRECTING, AFTER A PUBLIC HEARING, PURSUANT TO SECTION 20-7(B) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA, THAT THE COUNTY ATTORNEY PREPARE THE APPROPRIATE ORDINANCE AND INTERLOCAL AGREEMENT TO EFFECTUATE THE ANNEXATION REQUEST, OR DENYING OR DEFERRING THE ANNEXATION REQUEST

**WHEREAS**, on August 9, 2017, the City of Miami Springs (“City”) submitted an annexation request to Miami-Dade County for the property shown on the map attached hereto and incorporated by reference as Exhibit 1; and

**WHEREAS**, the Clerk of the Board placed the annexation request on the Board of County Commissioner’s (“Board”) agenda on December 5, 2017; and

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

**WHEREAS**, staff from the County’s Office of Management and Budget prepared an impact to the unincorporated municipal service area analysis and a staff report, both of which are attached hereto and incorporated herein by reference as Exhibits 2 and 5, respectively; and

**WHEREAS**, the PAB, after reviewing the required staff report and after a public hearing, adopted a resolution recommending that the City’s annexation request be denied on May 6, 2019, and the PAB’s resolution is attached hereto and incorporated herein by reference as Exhibit 3; and

**WHEREAS**, the County Mayor has prepared her recommendation on the City’s annexation request, which is set forth in the Mayor’s memorandum attached hereto and incorporated herein by reference; and



**WHEREAS**, because this annexation may be considered at the same time as other, separate annexation applications from the City of Doral, Village of Virginia Gardens, Town of Medley, this proposed annexation area by the City of Miami Springs, together with these other proposed annexation areas are all depicted in Exhibit 4 to the resolution, for the convenience of this Board; and

**WHEREAS**, the Board has considered the application in its totality as required by the Miami-Dade County Home Rule Charter and Code; and

**WHEREAS**, pursuant to section 20-7(B) of the County Code, the Board, after a public hearing, may either direct the County Attorney to prepare the appropriate items to accomplish the annexation request, deny the annexation request, or defer the annexation request,

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

**Section 1.** The foregoing recitals are approved and incorporated in this resolution.

**Section 2.** The Board of County Commissioners hereby takes the following action on the annexation request of the City of Miami Springs: directs the County Attorney to prepare the appropriate items, including an ordinance and interlocal agreements, to accomplish the annexation request.

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

Jose “Pepe” Diaz, Chairman

Oliver G. Gilbert, III, Vice-Chairman

Sen. René García

Sally A. Heyman

Eileen Higgins

Kionne L. McGhee

Raquel A. Regalado

Sen. Javier D. Souto

Keon Hardemon

Danielle Cohen Higgins

Joe A. Martinez

Jean Monestime

Rebeca Sosa

The Chairperson thereupon declared this resolution duly passed and adopted this 7<sup>th</sup> day of July, 2022. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

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

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

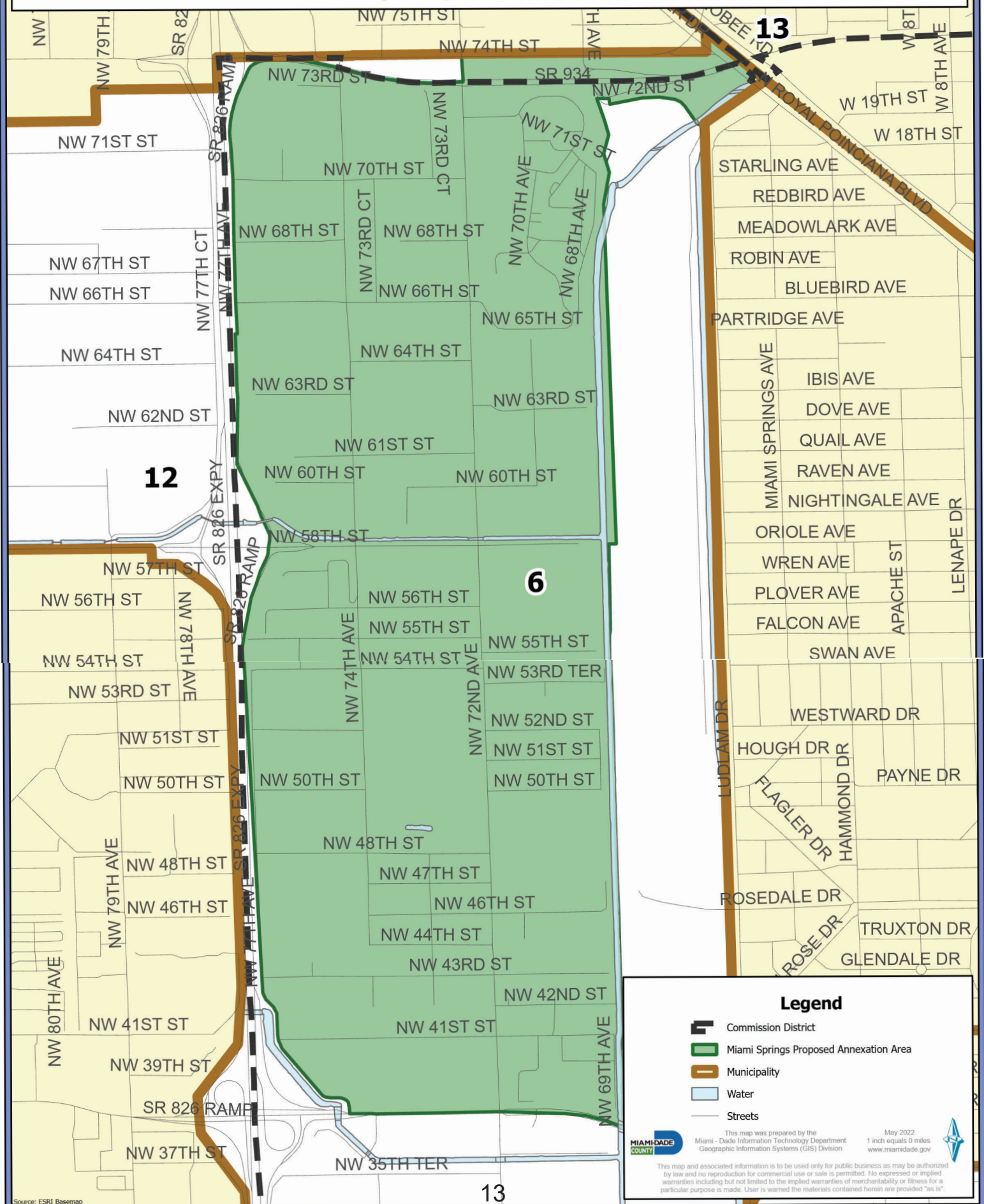


Abbie Schwaderer-Raurell

# MIAMI - DADE COUNTY

## Miami Springs Proposed Annexations

EXHIBIT 1



**Legend**

- Commission District
- Miami Springs Proposed Annexation Area
- Municipality
- Water
- Streets

This map was prepared by the  
Miami - Dade Information Technology Department  
Geographic Information Systems (GIS) Division

May 2022  
1 inch equals 0 miles  
[www.miamidade.gov](http://www.miamidade.gov)

This map and associated information is to be used only for public business as may be authorized by law and no reproduction for commercial use or sale is permitted. No expressed or implied warranties including but not limited to the implied warranties of merchantability or fitness for a particular purpose is made. User is warned the materials contained herein are provided "as is".

# EXHIBIT 2

Miami Springs

Based on FY 2021-22 Budget	Assumptions	
Property Tax Revenue	Allocation based on tax roll & millage	\$2,024,752
Sales Tax	Allocation based on \$86.74 per person	\$0
Utility Taxes	County Retains Utility Taxes	
Communications Tax	Allocated based on tax roll/population	\$145,211
Alcoholic Beverage License	Allocation based on \$0.13 per person	\$0
Business Tax	Based on businesses in the area	\$211,500
Interest	Allocation based on .305% of total revenue	\$9,160
Sheriff and Police Fees	Allocation based on population	\$0
Administrative Reimbursement	Allocated based on tax roll/population	\$80,797
Cash Carryover	Allocated based on tax roll/population	\$85,700
Miscellaneous Revenues	Allocation based on \$.59 per person	\$0
Revenue to UMSA		\$2,557,119
Cost of Providing UMSA Services		
Police Department		\$1,806,062
UMSA Police Budget (without specialized)		
Parks, Recreation and Open Spaces Dept.	Based on cost of parks	\$0
Right-of-Way Maintenance		
Centerline Miles	Centerline miles times cost per lane mile	\$36,474
Policy Formulation		
Commission, Mayor, County Attorney	Direct Cost multiplied by 2.7%	\$49,748
Internal Support		
Information Technology, Internal Services, Human Resources Communications, Audit and Management, Management and Budget	Direct Cost multiplied by 4.3%	\$79,229
Planning and Non-Departmental		
Regulatory and Economic Resources, Rec. and Culture, Economic Development, Neighborhood Infrastructure	Direct Cost multiplied by 6.88%	\$126,766
Cost of Providing UMSA Services		\$2,098,280
Net to UMSA		\$458,839
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 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.		
2021 Taxable Property Rolls		\$1,105,283,156
2020 Area Population		0
2020 UMSA Population		1,213,928
2020-21 UMSA Millage		1.9283
Patrollable Sq. Miles - UMSA		207.90
Total Calls For Service - UMSA CY 2021		598,582
Part 1 Crimes - UMSA 2021		27,601
Part 2 Crimes - UMSA 2021		12,132
Patrollable Sq. Miles - Study Area		1.59
Total Calls for Service - Study Area		3,450
Part 1 Crimes - Study Area		184
Part 2 Crimes - Study Area		89
Cost per Centerline Mile		\$2,872
Number of Centerline Miles		12.7
Per Capita Taxable Value		#DIV/0!

## RESOLUTION 19-6

RESOLUTION OF THE MIAMI-DADE COUNTY PLANNING  
ADVISORY BOARD PROVIDING RECOMMENDATION TO THE  
BOARD OF COUNTY COMMISSIONERS ON THE PROPOSED  
ANNEXATION BY THE CITY OF MIAMI SPRINGS

WHEREAS, the City of Miami Springs has applied to annex the area that is generally described below:

Boundaries: The unincorporated area generally bounded on the north by the NW 74 Street connector; on the east by the City's western boundary (NW 67 Avenue), excluding the FEC Tracts; on the south by NW 36 Street; and on the west by SR 826/Palmetto Expressway.

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

WHEREAS, on May 6, 2019, after providing the required notice to property owners, the Planning Advisory Board held an advertised public hearing concerning the Application,

NOW, THEREFORE, BE IT RESOLVED BY THE MIAMI-DADE COUNTY PLANNING ADVISORY BOARD, that it recommends the Board of County Commissioners Deny the proposed annexation by the City of Miami Springs.

The forgoing resolution was offered by Board Member Richardson, and was seconded by Board Member Ascencio-Savola, and upon being put to a vote the vote passed 8 to 2 as follows:

Robert Alonso	Absent	Jason Loeb	Yes
Carla Ascencio-Savola	Yes	J. Wil Morris	Yes
Lynette Cardoch	No	William Riley	Yes
Carlos Diaz-Padron	Absent	Wayne Rinehart	No
Eric Fresco	Yes	Daniel Rogers	Yes
Horacio C. Huembes	Absent	Jesus Vazquez	Absent

Perley Richardson, Jr., Vice Chair, Yes

Robert Ruano, Chair, Yes

The Chair thereupon declared the resolution duly passed and adopted this 6<sup>th</sup> day of May 2019.

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



Jack Osterholt, Deputy Mayor/Director  
Department of Regulatory and Economic Resources





## Memorandum



**Date:** May 6, 2019

**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 City of Miami Springs

### **Background**

On August 9, 2017, the City of Miami Springs (City) submitted a boundary change application to the Miami-Dade County Clerk of the Board. The Miami-Dade Board of County Commissioners (Board) referred the application to the Planning Advisory Board (PAB) at the December 5, 2017 Board meeting. As required by the Code of Miami-Dade County (Code), the Office of Management and Budget (OMB) has reviewed and processed the application for PAB consideration.

This annexation is being considered along with the annexation applications from the City of Doral, Town of Medley, and Village of Virginia Gardens, as depicted in Attachment A. The areas being requested by the four municipalities are not in conflict with each other. The Board requested these annexation requests be considered at the same time.

The proposed annexation is approximately 1,018 acres or 1.59 square miles of the Unincorporated Municipal Service Area (UMSA).

The proposed annexation area is generally bounded on the south by NW 36<sup>th</sup> Street, on the west by State Road 826, on the north by the NW 74<sup>th</sup> Street Connector, and east of the City's current western boundary (NW 67<sup>th</sup> Avenue), excluding the FEC Tracts, as depicted in Attachment B.

The Annexation Area is within County Commission District 12, represented by Commissioner Jose "Pepe" Diaz.

Pursuant to Section 20-6 of the Code of Miami-Dade County (Code), OMB submits this report for your review and recommendation.

### **Summary of Issues for Consideration:**

1. The annexation area has fewer than 250 resident electors and less than 50 percent is developed residential; therefore, a vote in the area will not be required.
2. The annexation area will remain within the Miami-Dade Fire Rescue (MDFR) District and the Miami-Dade Library District in perpetuity.
3. The following facilities are in the annexation area and will be added to the Facilities of Countywide Significance:
  - Turner Guilford Knight Correctional Center (7000 NW 41<sup>st</sup> Street);
  - Miami-Dade Water and Sewer Department (WASD) storage yard;
  - WASD Medley Hydrant Shop and office;
  - WASD pump stations 0195, 0182, 0194, 0197, 0192, and 0193.

4. The County is proposing to keep the following roads (approximately 0.3 centerline miles):
  - NW 58<sup>th</sup> Street from SR 826 East ramps to East of NW 72<sup>nd</sup> Avenue; and
  - NW South River Drive from SR 934 to 300' NW of Crane Avenue (Miami Springs City limits).
5. The City shall pay its pro-rata share of the debt service on the County's Stormwater Utility Revenue Bonds, for the annexed areas. Payment to the County for the City's debt service on these bonds and secondary canal maintenance will initiate immediately upon annexation.
6. If any zoning covenants are in effect at the time of annexation, the City must comply with Section 20-8.8 of the Code.
7. The majority of the proposed annexation area lies within a ½ mile of a Comprehensive Development Master Plan designated Terminal (as depicted in Attachment C) or ½ mile from the SMART Plan Corridor, which is a Facility of Countywide Significance (as depicted in Attachment D); therefore, the County will retain regulatory control over a majority of the annexation area.

#### **Annexation Guidelines:**

The following analysis addresses the factors required for consideration by the Planning Advisory Board pursuant to Chapter 20-6 of the Code.

**1. Does the annexation divide a historically recognized community?**

The proposed annexation 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 is mainly designated "Restricted Industrial and Office", and also designated "Terminals", "Business and Office" and "Institution, Utilities and Communications". The City is mainly designated "Low Density Residential (6-13 DU/Ac.)" and "Business and Office", with other areas designated "Low-Medium Density Residential (2.5-6 DU/Ac.)", "Institution, Utilities and Communications", "Parks and Recreation", and "Medium Density Residential (2.5-6 DU/Ac.)".

The proposed annexation area is mainly zoned IU-1 (Light Manufacturing), IU-2 (Heavy Manufacturing), and IU-3 (Unlimited Manufacturing) with certain small areas zoned BU-1A (Limited Business) and BU-3 (Liberal Business) along NW 36 Street. Existing uses within the annexation area are mainly industrial uses with scattered small commercial operations. There are government facilities within the area including a correctional facility at the northeast corner of the intersection of NW 36 Street and NW 72 Avenue. The City is mainly composed of residential uses with scattered small retail operations, office uses, schools, and recreational areas. On page 54 of the Annexation application, the City states that upon annexation, the municipality will amend its comprehensive plan to incorporate applicable land uses as necessary. Furthermore, on page 56 of the application, the City states it will rezone, upon annexation, those properties to the municipality's closest equivalent or amend its land development regulations to incorporate new zoning districts. The City further states, on page 5 of the application, that additional zoning districts will be created for additional uses not already included in the zoning code of the municipality. Therefore, if the area is annexed and the City's Comprehensive Plan is amended, the area will be compatible.



**3. Preserve, if currently qualified, eligibility for any benefits derived from inclusion in federal or state enterprise zones, or targeted area assistance provided by federal, state, and local government agencies?**

The annexation will not impact the federal/state entitlement funding administered by the Miami-Dade Community Action and Human Services Department. If by annexing the area the City's population increases over 50,000, the County's Public Housing and Community Development Department may see a decrease in revenues from the following federal and state programs: Community Development Block Grant (CDBG); HOME; Emergency Solutions Grants (ESG), and State Housing Initiative Partnership (SHIP). The municipality will have the ability to apply for these funding sources directly.

**4. Will the annexation impact public safety response times?**

Fire and Rescue:

The proposed annexation will not impact MDRF service delivery and/or response time. 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 the County and will continue to be served by the same stations and resources within the Fire District in an efficient and effective manner.

Police:

In the event the annexation application is approved, the total service area within UMSA will be reduced. Departmental resources will 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, the full impact upon 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 proposed annexation area has no related traffic impacts to the County. The area does not have any active special taxing districts.

**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, the County no longer has the ability to 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 the 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 UMSA. 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. If the area has been identified by the Federal Government as a flood zone or by emergency planners as an evacuation zone, has the existing municipality indicated its preparedness to address any extraordinary needs that may arise?**

There are portions of the proposed annexation area located within the federally designated, 100-year floodplain. This area will flood under sustained rains and property owners within it are required to obtain flood insurance.

The proposed annexation area is not located within and County designated hurricane evacuation zone and residents of the area 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 area is currently served by Metrobus Routes 36, 73, 132 (Tri-Rail Doral Shuttle) and the Doral Trolley Route #2. The service headways (in minutes) for these routes are detailed in the table below.

Annexation Application: City of Miami Springs							
Route	Service Headways (in minutes)						Type of Service
	Weekday				Weekend		
	Peak (AM/PM)	Off-Peak (midday)	Evenings (after 8pm)	Overnight (OVN)	Saturday	Sunday	
36	20	60	20	n/a	60	60	L/F
73	30	40	60	n/a	60	60	L/F
132 (Tri-Rail Doral Shuttle)	80	n/a	n/a	n/a	n/a	n/a	L/F
Doral Trolley #2	60	60	60	n/a	n/a	n/a	L/F
<div>Notes:</div> <div><div>L means Metrobus local route service</div><div>F means Metrobus feeder service to Metrorail or Tri-Rail</div><div>E means Metrobus Express or Limited-Stop service</div></div> <div>August 2017 Line Up</div>							

There are no routes that connect the area to the annexing municipality's municipal office. Any incremental transit impacts generated by the requested annexation would be minimal and can be absorbed by the existing transit service in the area.

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

The proposed annexation area is contained within the same school district boundaries as the adjoining unincorporated area. The schools serving the proposed annexation area are Springview Elementary, Miami Springs Middle, and Miami Springs Senior High.

The following analysis addresses the factors required for consideration by the Board and the PAB pursuant to Chapter 20-7 of the 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 having a majority of ethnic minority or lower income residents have petitioned to be included 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?**

Approval of the proposed annexation would not result in the creation of an enclave. The proposed annexation area abuts the City of Miami Springs through North Royal Poinciana Boulevard, Crane Avenue, and West Okeechobee Road, and does not create an enclave.

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

The boundaries of the proposed annexation area generally follow road rights-of-way along major roadways. The Florida East Coast railroad tracks serves as the eastern boundary barrier.

**2. Land Use and Zoning Covenants - Provide a listing of all declaration of restrictions within the annexation area (include folios and copies of covenants).**

The Board of County Commissioners shall require, as a condition of municipal boundary change, that the Board retain jurisdiction over the modification or deletion of declarations of restrictive covenants accepted by either the Board or a Community Zoning Appeals Board in connection with a Comprehensive Development Master Plan (CDMP) application or zoning application, regardless of whether such declaration provides for modification or deletion by a successor governmental body. It is provided, however, that the Board of County Commissioners may not exercise such jurisdiction unless the applicable municipality has first approved the modification or deletion. In the event that any such declaration of restrictive covenant is not brought to the Board of County Commissioners, any action relating to the covenant by the municipality shall not be

deemed final until the requirement of County approval is complied with. The identification of any declarations of restrictive covenants subject to this paragraph shall be the responsibility of each zoning applicant in the applicable municipality.

If any zoning covenants are in effect at the time of annexation, the City must comply with Section 20-8.8 of the Code.

**3. 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 2018 Preliminary taxable value within the annexation area is \$975,531,610. At the current City millage rate (7.3575 mills), the ad valorem revenues attributable to the annexation area would be \$6,811,649. At the current UMMA millage rate (1.9283 mills), the ad valorem revenues attributable to the annexation area would be \$1,787,062 as noted in the table below. The expected tax increase to the entire annexation area would be 5.4217 mills and \$5,024,588. There are 862 folios in annexation area and the average property owner would see an increase of \$5,829 if this annexation is approved.

<b>Existing and Projected Property Tax Cost</b>		
<b>City of Miami Springs</b>		
<b>FY 2018-19</b>		
	Millage Rate	Millage x Taxable Value
<b>City of Miami Springs</b>		
Municipal Millage	7.3500	\$6,811,649
<b>Unincorporated Area</b>		
UMMA Millage	1.9283	\$1,787,062
<b>Increase</b>	<b>5.4217</b>	<b>\$5,024,588</b>

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

The proposed annexation area comprises a total of 1,018 acres and is located inside the 2020 Urban Development Boundary (UDB) as depicted on the County's CDMP Adopted 2020 and 2030 Land Use Plan (LUP) map.

**5. 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 2018 Preliminary taxable value of the annexation area is \$975,531,610. The area generates an estimated \$2,062,999 in revenue net of franchise fees (\$173,264) and utility taxes (\$601,687) that would be retained by the County pursuant to Section 20-8.1 and 20-8.2 of the Code. The County spends an estimated \$1,444,479 per year providing services to the area. Therefore, the net revenue loss to the UMMA budget is an estimated \$618,520 (Attachment E).

**6. 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 no residents in the annexation area. Therefore, this metric is not applicable.

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

The CDMP Adopted 2020 and 2030 LUP map designates the properties within the proposed annexation area as "Industrial and Office," "Restricted Industrial and Office," "Transportation", "Terminals", and "Business and Office."

**Facilities of Countywide Significance:**

The County's policy regarding Facilities of Countywide Significance is to maintain regulatory control over planning, zoning, land use, and development of such facilities. Specifically, Section 20-8.6 (c) of the Code, requires that the County retain jurisdiction of such facilities as a condition of approval for annexation.

As stated in Section 20-28.1 of the Code, the County shall not transfer operation, maintenance, or regulatory jurisdiction to a municipality. Furthermore, adherence to this requirement is a condition of annexation and shall be included in any interlocal agreement for such area.

The following are Facilities of Countywide Significance within the proposed annexation boundaries.

1. The Miami-Dade Fire Rescue Station, located at 7050 NW 36<sup>th</sup> Street.
2. Pursuant to Section 2-2363 of the Code, the SMART Plan Corridor and all real properties wholly or partially located within ½ mile of the existing Metrorail Corridor.

The following facilities will remain under the jurisdiction of the County and be added to the list of Facilities of Countywide Significance.

1. The Turner Guilford Knight Correctional Center, located at 7000 NW 41<sup>st</sup> Street.
2. WASD pump stations 0195, 0182, 0194, 0197, 0192, and 0193.
3. Miami-Dade Water and Sewer Department (WASD) storage yard, the Medley wellfield (located at 7300 NW 70<sup>th</sup> Street and 7301 NW 70<sup>th</sup> Street), WASD's Medley Hydrant Shop, and WASD's Medley office.

**Departmental Analysis**

**Police**

MDPD currently provides police services to the proposed annexation areas. However, if annexed, the City has a full-service law enforcement agency that will be providing police protection to the proposed area. The City currently has thirty-nine (43) sworn officers. The City's Police Department is prepared to absorb any additional required police services by adding personnel, as necessary. If the annexation is successful, an increase of sworn officers would be contemplated.

The following MDPD tables represent all calls for uniform and non-uniform police calls within the proposed annexation area for calendar year 2017.

**Calls For Service – City of Miami Springs – Annexation Area**

Year	Criteria	Routine Calls	Code 3 Emergency Calls	Code 2 Emergency/Priority Calls	All Calls
2017	Total Calls	3,124	103	88	3,515

**Part I and Part II Crimes – Annexation Area**

Year	Part I Crimes	Part II Crimes	Total
2017	137	49	186

**Definition of Code 2 Emergency:** A situation that poses a potential threat of serious injury or loss of human life which may require swift police action; e.g., assault, robbery, or burglary of an occupied structure in progress; hazardous chemical spill; toxic gas leak; serious motor vehicle crash in which the extent of injuries is unknown; etc.

**Definition of Code 3 Emergency:** A situation or sudden occurrence which poses an actual threat of serious injury or loss of human life and which demands swift police action; e.g., seriously ill or injured person, shooting, sexual battery, etc.

**Definition of Part I Crimes:** Uniform Crime Report (UCR) Part I Offenses are those crimes reported to MDPD in the following classifications; murder and non-negligent manslaughter, robbery, aggravated assault, forcible rape, motor vehicle theft, larceny, burglary. The UCR is a standard method of reporting crime, administered by the Federal Bureau of Investigation (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.

**Definition of Part II Crimes:** All crimes not covered under Part I Crimes.

**Fire and Rescue**

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 the County and will continue to be served by the same stations and resources within the Fire District in an efficient and effective manner.

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

**Existing Stations:**

Station 17 located at 7050 NW 36<sup>th</sup> Street serves the annexation area. The station is equipped with a ladder apparatus totaling four (4) firefighter/paramedics, 24 hours a day, seven days a week. The station is located along the northern boundary of the annexation area.



Staff Report for Proposed Boundary Change  
to the City of Miami Springs  
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Planned Stations:

There are no planned stations in the area, at this time.

Service Delivery – Last Three Calendar Years Annexation Area:

	2015	2016	2017
<b>Life Threatening Emergencies</b>			
Number of Alarms	35	41	27
Average Response Time	5:59	6:14	5:43
<b>Structure Fires</b>			
Number of Alarms	0	0	0
Average Response Time	N/A	N/A	N/A

The annexation area is completely accessible via the existing street network providing for adequate emergency response. The proposed annexation will not impact public safety response time; however, response time may be impacted if/when any significant development occurs.

**Water and Sewer**

The proposed annexation area is within the County's Water and Sewer Department's water and sewer service area, with the exception of a property with Folio No. 30-3014-001-0172. This Folio falls within the City of Medley's sewer service area. Any request for future water and sewer service for the annexation area within WASD's service area shall be determined at the time the proposed development occurs, based on the adequacy and capacity of the County's water and sewer systems at the time of the proposed development.

At this time, there are no General Obligation Bond projects under construction within the annexation area.

**Department of Solid Waste Management (DSWM)**

The proposed annexation area includes only one 1940's single family home that predates the surrounding industrial properties by at least three decades. Due to the current zoning, predominant pattern of industrial development, and future land use designations, it is highly unlikely that residential units will be constructed in the annexation area. Currently, a private waste hauler provides garbage and trash pickup for the commercial establishments located in the proposed annexation area.

The proposed annexation area is located within Miami-Dade County's Waste Collection Service Area.

**Department of Transportation & Public Works (DTPW)**

There are approximately 13.0 centerline miles in the Miami Springs Annexation area. Approximately, 12.7 centerline miles will be transferred to the City of Miami Springs. The County is proposing to keep the following roads (approximately 0.3 centerline miles).

NW 58<sup>th</sup> Street from SR 826 East ramps to East of NW 72<sup>nd</sup> Avenue  
NW South River Drive from SR 934 to 300' NW of Crane Avenue (Miami Springs City limits)

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

**Demographic Profile of the Areas**

According to the Census 2015 population files, there is no population within the proposed annexation area.

**Development Profile of the Area**

Shown in Table 1 is the 2018 land use profile for the proposed annexation area. Of the approximately 1,018 acres in the proposed annexation area, approximately 56 percent of that acreage is in industrial use, 34 percent is in transportation\communication\utilities use, and 4 percent is in institutional use. Table 1 also indicates that there is a minimal amount, 0.3 acres, of residential land use within the proposed annexation area, while 45 percent of land currently located within the City of Miami Springs is in residential use. Also shown in Table 1 is a considerable amount of acreage, 56 percent, 573 acres, in the proposed annexation area, which is predominantly industrial use, while only 0.1 percent, 2.6 acres, of the current City land is in industrial use. Additionally, 34 percent, 347 acres, in the proposed annexation area is in transportation\communication\utilities use, and a similar amount, 29 percent, 560 acres, of the City of Miami Spring's land is in transportation\communication\utilities use.

Table 1

City of Miami Springs Proposed Annexation Area						
Portions of Sections 13, 14, 23, and 26, Township 53, Range 40						
2018 Existing Land Use						
Land Use	Annexation Area (Acres)	Annexation Area (Percent of Total)	City of Miami Springs (Area Acres)	City of Miami Springs (Percent of Total)	Miami-Dade County (Acres)	Miami-Dade County (Percent of Total)
Residential	0.3	0.0	864.5	45.0	113,175.6	8.9
Commercial, Office, and Transient Residential *	33.7	3.3	100.3	5.2	14,222.0	1.1
Industrial	573.1	56.2	2.6	0.1	20,408.6	1.6
Institutional	40.7	4.0	90.2	4.7	15,730.7	1.2
Parks/Recreation	0.0	0.0	220.6	11.5	834,317.3	65.9
Transportation, Communication, Utilities	347.2	34.1	560.7	29.2	87,332.5	6.9
Agriculture	0.0	0.0	0.0	0.0	61,909.1	4.9
Undeveloped	8.2	0.8	6.4	0.3	81,152.2	6.4
Inland Waters	16.4	1.6	74.8	3.9	38,066.2	3.0
<b>Total:</b>	<b>1,019.6</b>	<b>100.0</b>	<b>1,920.0</b>	<b>100.0</b>	<b>1,266,314.2</b>	<b>100.0</b>

\* Transient Residential includes Hotels and Motels

Source: Miami-Dade County Department of Regulatory and Economic Resources, Planning Research and Economic Analysis Section August, 2018

A description of the services provided by Division of Environmental Resources Management (DERM), information relating to Chapter 24 of the Code, and assessment of environmental issues with the proposed annexation are included below. Services provided by this department in the proposed annexation area include but are not limited to:

**Review and approval or disapproval of development orders**

This includes the following:

- Building Permits
- Zoning Actions
- Platting Actions (Land Subdivision)



- Building Occupancies (Residential and Nonresidential)
- Municipal Occupational Licenses

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

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

#### Operating Permits

Section 24-18 of the Code authorizes DERM to require and issue operating 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.

#### 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 Code in both incorporated and unincorporated areas, this department currently provides the above services to the subject area. Accordingly, annexation of the area will not affect the ability to provide adequate levels of service to the annexation or adjacent areas.

#### Water Supply and Distribution

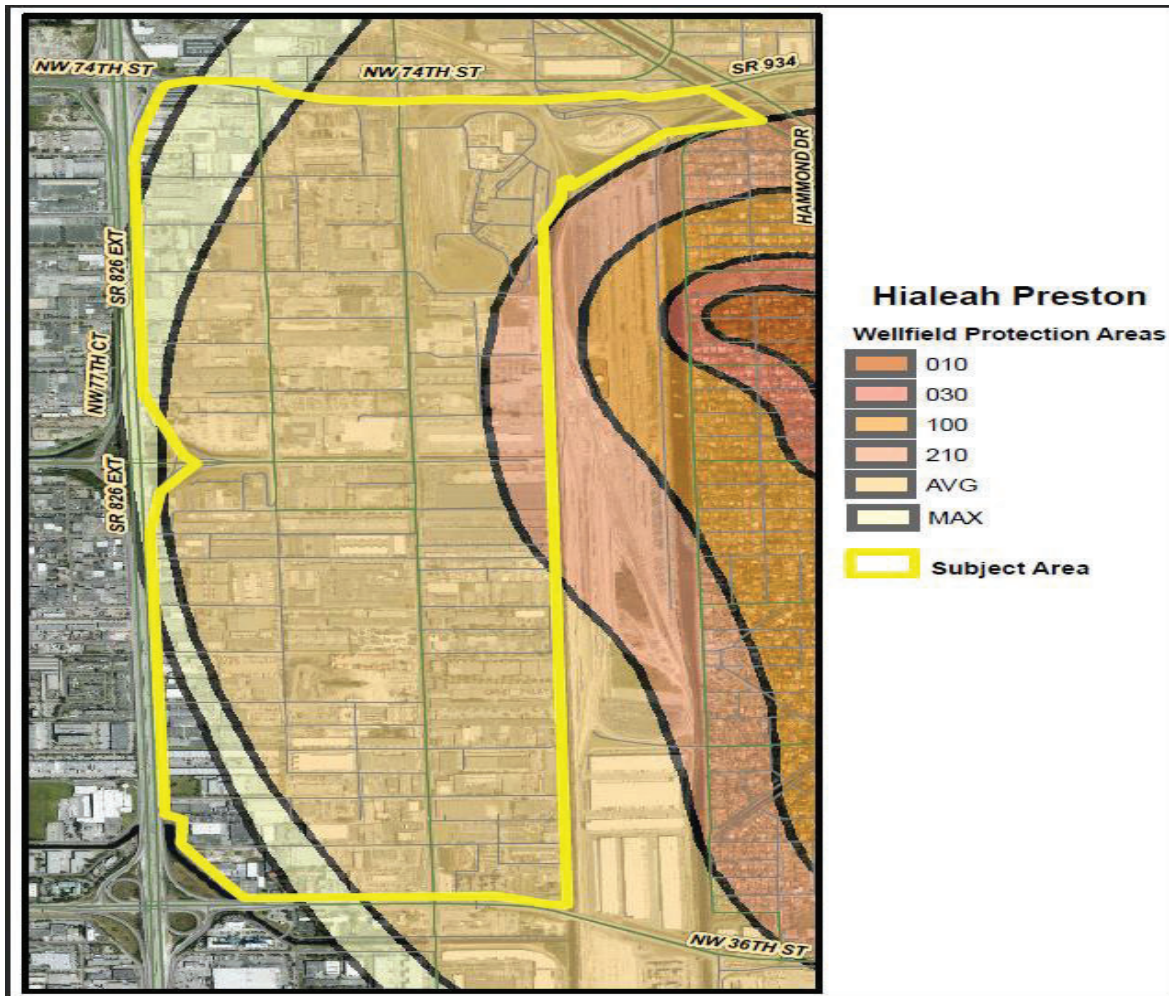
The source of water for the annexation area is the Hialeah/Preston Water Treatment Plant, which is owned and operated by WASD. Currently, this plant has sufficient capacity to provide current water demand. Water produced by this plant meets the required Drinking Water Standards.

Properties located within proposed annexation area shall submit a properly executed covenant in accordance with Section 24-43(5) of the Code which provides that hazardous materials and hazardous wastes shall not be used, generated, handled, discharged, disposed of or stored on such properties.

Additionally, the Conservation Element of the CDMP addresses land uses within wellfield protection areas:

- Conservation Objective CON 3A – no new facilities that use, handle, generate, transport, or dispose of hazardous wastes shall be permitted within wellfield protection areas.

ANNEXATION AREA  
WELLFIELD DELINEATION



Facilities for the Collection and Treatment of Sewage

Section 24-43.1(6) of the Code prohibits the approval of any building permit, certificate of use and occupancy, municipal occupational license, platting action or zoning action for any nonresidential land use served or to be served by any liquid waste storage, disposal or treatment method other than public sanitary sewers or any source of potable water supply other than a public water main. Based on the industrial and office trend of uses on the annexation areas, connection to public sanitary sewers is required as provided in Chapter 24 of the Code.

The proposed annexation area is served by four sewer pump stations owned and operated by WASD: 30-0182, 30-0192, 30-0193, 30-0194, 30-0195 and 30-0197. These pump stations direct the sewer flow to the Central District Wastewater Treatment Plant.

The sanitary pump stations serving the area as well as the Central District Wastewater Treatment Plant are currently working within the mandated criteria set forth in the new USEPA/FDEP Consent Decree. Currently, the Central District Wastewater Treatment Plant has sufficient capacity to treat current discharge.

#### Drainage and Flood Protection

For all new development within the proposed annexation area, storm water drainage systems are required to provide flood protection and storm water quality treatment. Miami-Dade County has been delegated the authority to issue Surface Water Management General Permits on behalf of the South Florida Water Management District for development that propose more than 2 acres of impervious surface.

The annexation area is within Special Flood Hazard Areas X and AH, at elevation 7 or above the flood plain as determined by FEMA. County Flood Criteria ranges between Elevation 6.00 feet and 7.00 feet National Geodetic Vertical Datum. Any future development must comply with the requirements of Chapter 11C of the Code for flood protection.

Three canals exist within the proposed annexation area; the FEC Canal, NW 58<sup>th</sup> Street Canal, and Dressels Dairy Canal. A DERM Class II permit from DERM may be required if proposed drainage systems contain an outfall or overflow system in, on, or upon any body of water in the County. A DERM Class II permit is required for construction within any County canal right-of-way, reservation, or easement.

In accordance with DERM records, the proposed annexation area includes several contaminated sites. A DERM Class VI permit may be required for any installation of new drainage systems in contaminated sites.

#### Stormwater Utility (SWU) Program and Fees

At the time of annexation, the following conditions will be required as part of this annexation: 1) the City shall execute or modify (if applicable) a stormwater billing agreement with WASD to continue billing in the WASD service area; 2) the City shall execute a cost-share Interlocal Agreement with the County for canal and/or drainage system maintenance activities to cover expenditure cost-share in the annexed area; 3) the City shall pay its pro-rata share of the debt service on the County's Stormwater Utility Revenue Bonds; and 4) the City shall execute or modify a National Pollutant Discharge Elimination System (NPDES) Interlocal Agreement with the County to satisfy the requirements of the NPDES Permit.

1) Stormwater Utility Billing Agreement:

The proposed annexation area has approximately 14,250 Equivalent Residential Units (ERUs), which would generate \$684,000 annual revenue at the current County stormwater utilities rates.

2) Stormwater Management Interlocal Agreement (Canals):

The County operates and maintains stormwater infrastructure within the proposed annexation area. All secondary canals shall remain under the control of the County. The City will be required to enter into an interlocal agreement to cost-share until perpetuity, the maintenance of the following canals that provide drainage services and flood protection to the proposed annexation area:

- FEC Borrow Ditch Canal
- FEC Canal
- Dressels Canal
- NW 58<sup>th</sup> Street Canal

Actual costs for the above will be determined at the time of annexation, and the City will be billed annually for its cost-share of the canal maintenance.

3) Stormwater Utility Revenue Refunding Bonds, Series 2013:

At the time of annexation, the City shall enter into an interlocal agreement with the County to pay its pro-rata share of the debt service on the County's Stormwater Utility Revenue Refunding Bonds, Series 2013 for the annexed areas. The City's debt service payment to the County will be approximately \$153,000 annually until the bonds mature in 2029.

4) NPDES Water Monitoring Interlocal Agreement:

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, drainage inspection and maintenance, and various other best management practices.

Miami-Dade County's NPDES permit is a joint permit with 32 co-permittees (including Miami Springs), with the County as the lead agency. Because sampling of stormwater runoff is required, the County performs the sampling and all the parties to the permit cost-share the monitoring costs. Co-permittees also cost-share NPDES required modeling and results.

Upon annexation, the annual cost-share of Miami Springs may change in response to an increased number of outfalls. Additionally, the NPDES Permit Surveillance fee paid by permit holders to the FDEP may increase as a result of a change in population.

National Flood Insurance Program (NFIP)

The NFIP is a program wherein 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.

When a municipality incorporates or annexes an area, it would need to apply to FEMA and be responsible for its own Community Rating System (CRS) program. Depending on the City's Stormwater Management programs, the residents of the annexed areas may lose their current County CRS discount.

Stormwater Management Master Plan

Unincorporated Miami-Dade County is divided into drainage basins which are then modeled to determine what drainage infrastructure 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. Upon annexation, stormwater master planning for these annexed areas shall become the responsibility of the City.

Natural Resources

The proposed annexation area contains tree resources. However, the City shall enforce their tree code once this area is annexed.

### Endangered Species

The annexation area is adjacent to waters of the C-6 Canal (Miami Canal), which are accessible to the West Indian Manatee (*Trichechus manatus*).

Manatees have been injured or killed by entrapment in existing culverts as well as roadway/culvert projects under construction within the County. The County's 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 or culverts 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 said conditions.

Construction projects along the C-6 Canal should employ turbidity barriers and means of containment so materials from construction projects do not enter surface waters. Any containment systems to be installed in waters of these canals should be designed to account for currents and wind influence.

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 within the proposed annexation area.

### Environmental Monitoring and Restoration

The annexation area includes multiple sites with records of current contamination. Any construction, development, drainage, and dewatering at those sites will also require DERM review and approval as it relates to environmental contamination issues.

For any concerns or comments, please contact DERM at (305) 372-6764.

### Parks, Recreation and Open Spaces

There are no County parks within the proposed Miami Springs annexation area.

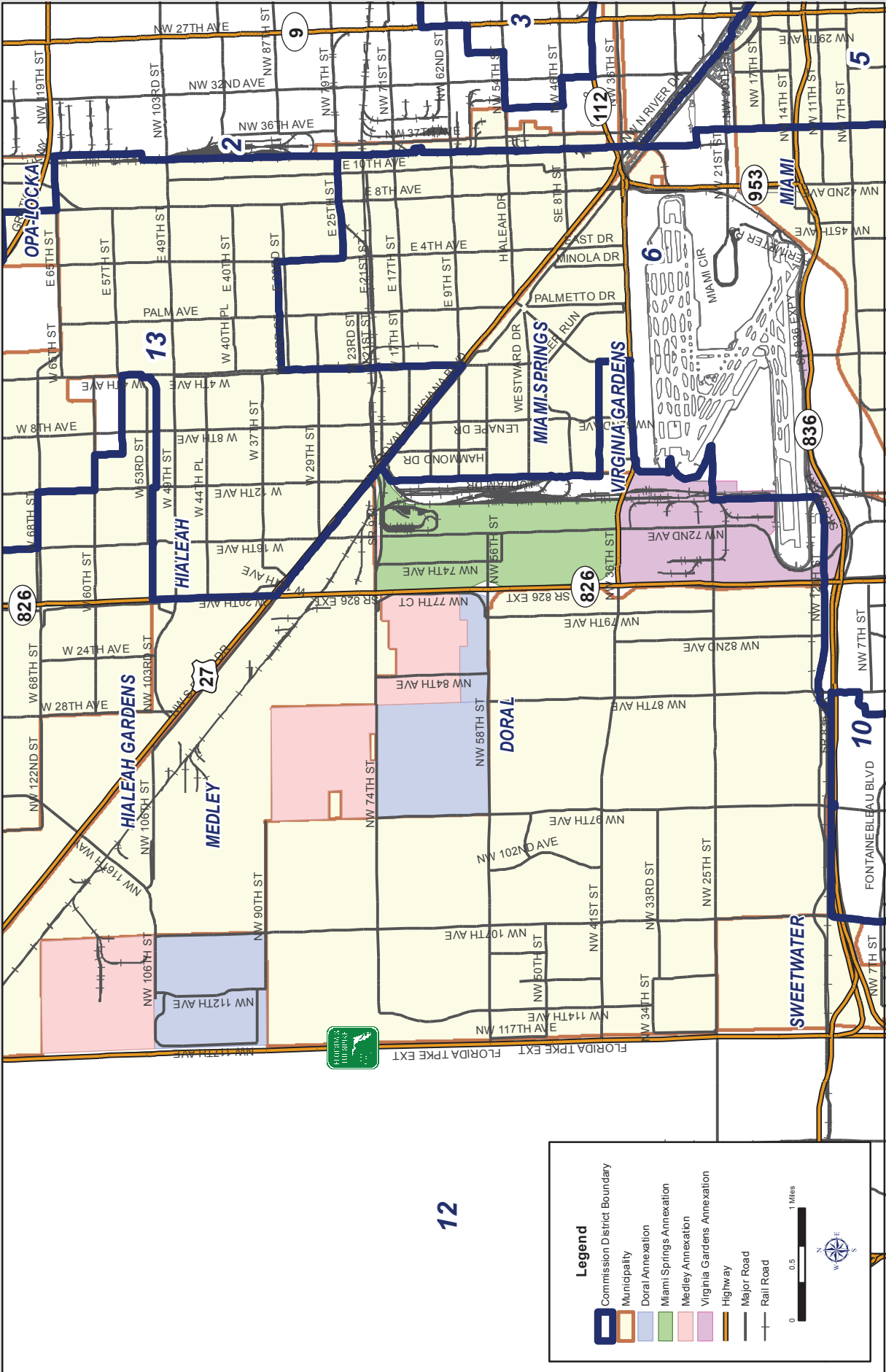
Attachments:

- A. Map of four city proposed annexations
- B. Map of proposed annexation area
- C. Map of proposed annexation area with Terminals
- D. Map of proposed annexation area with SMART Plan Corridor
- E. Estimated Impact on UMSA Budget Statement
- F. City of Miami Springs Annexation Application

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



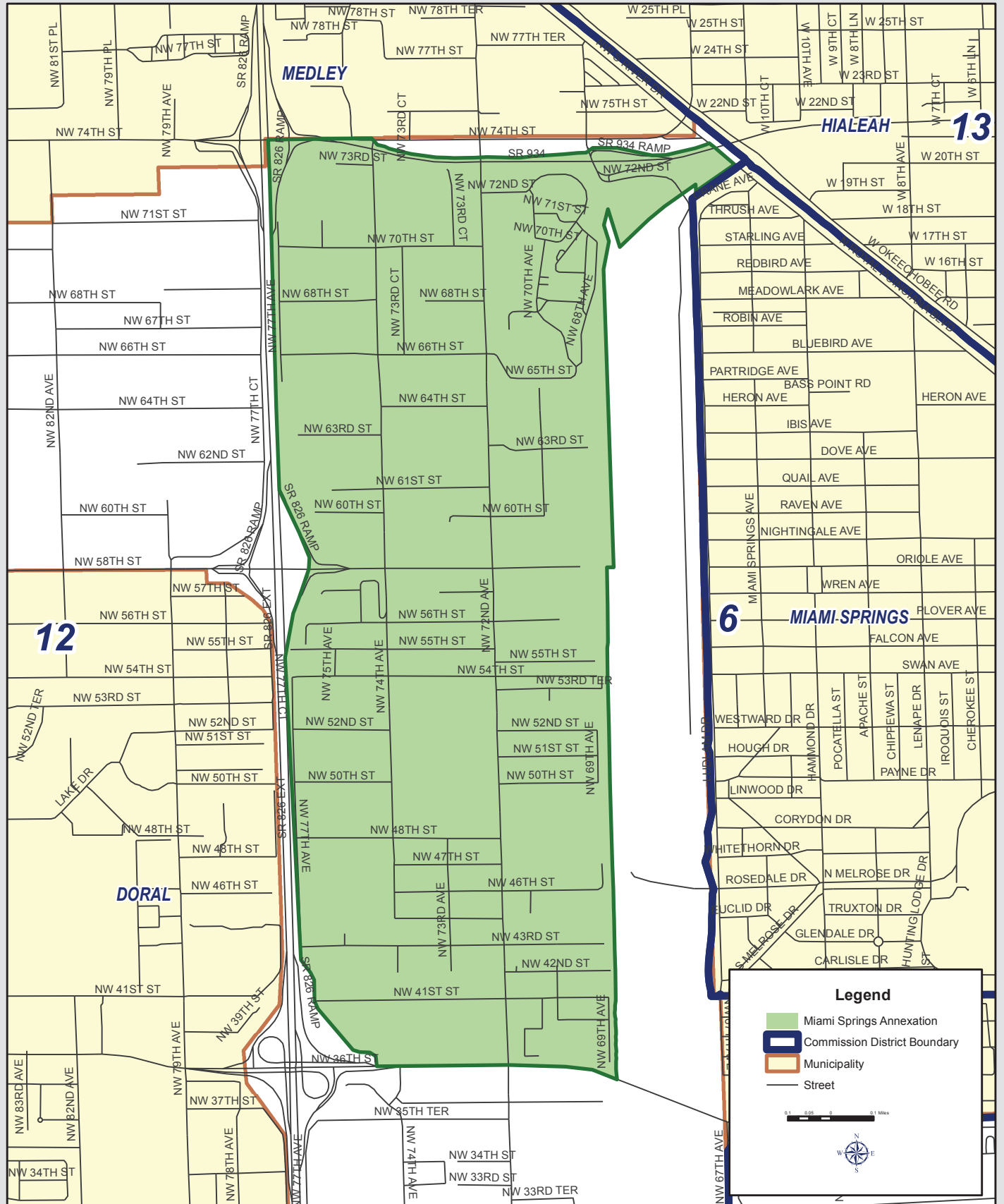
# MIAMI-DADE COUNTY



This map was prepared by the Miami Dade County Information Technology Department Geographic Information Systems (GIS) Division. For the Office of Management and Budget  
October 2018

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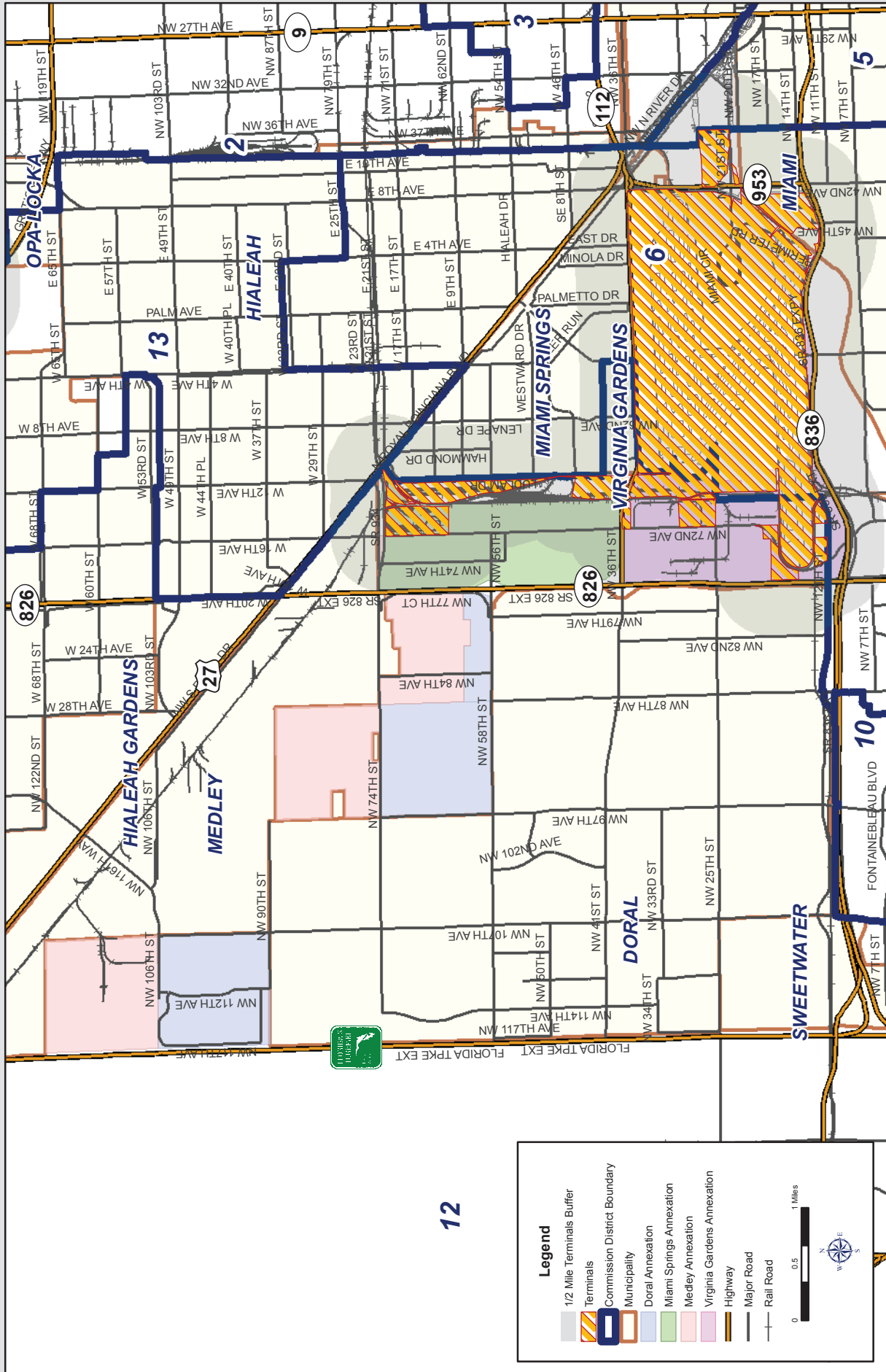
### MIAMI-DADE COUNTY Miami Springs Proposed Annexation



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October 2017

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## MIAMI-DADE COUNTY Doral, Miami Springs, Medley and Virginia Gardens Annexations - CDMP Terminals

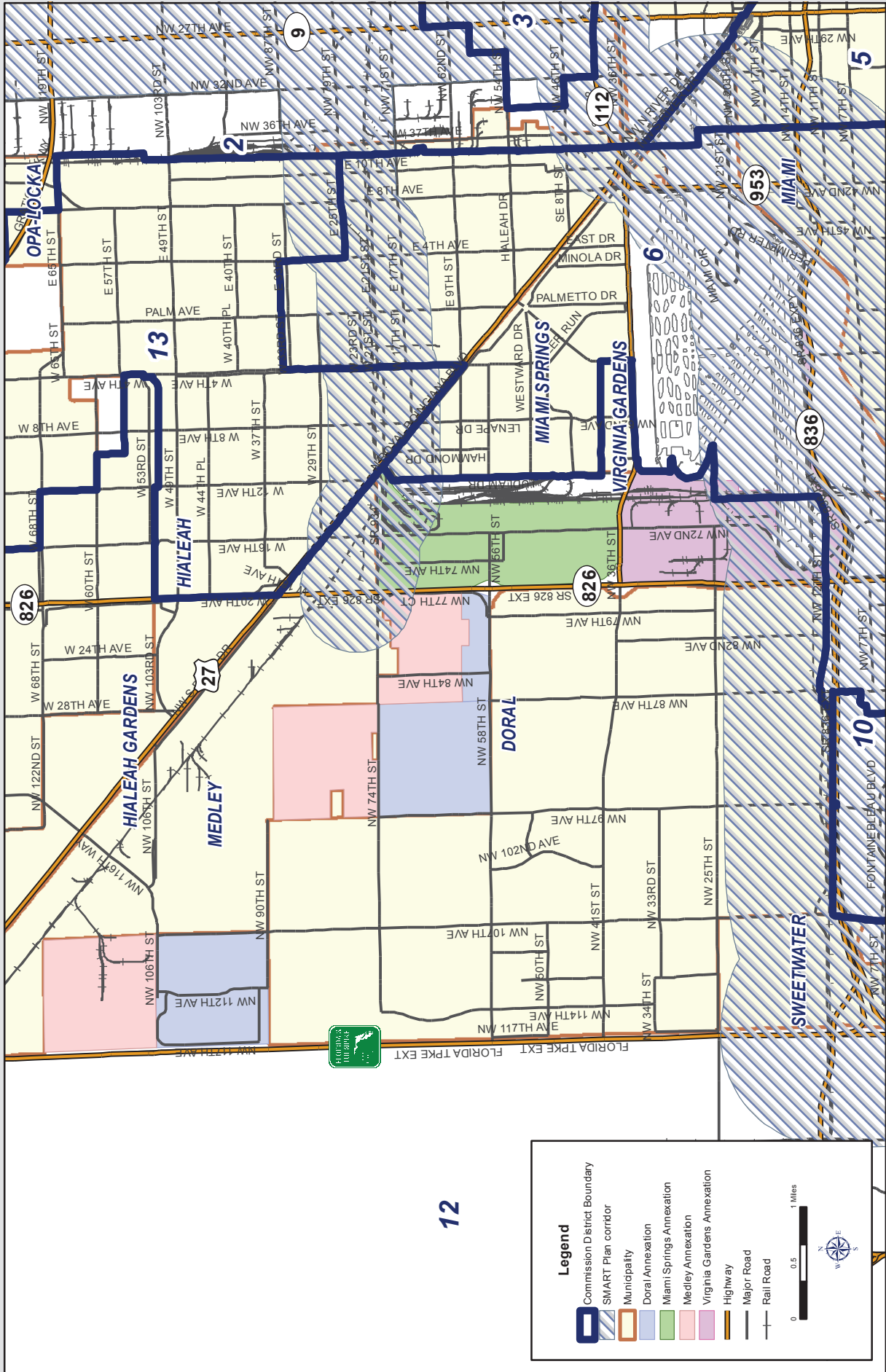


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## MIAMI-DADE COUNTY



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# EXHIBIT 5 ATTACHMENT E

## Miami Springs

Based on FY 2018-19 Budget	Assumptions	
<b>Property Tax Revenue</b>	<b>Allocation based on tax roll &amp; millage</b>	\$1,787,062
<b>Franchise Fees</b>	<b>Allocated based on tax roll/population</b>	
<b>Sales Tax</b>	<b>Allocation based on \$76.52 per person</b>	\$0
<b>Utility Taxes</b>	<b>Allocated based on tax roll/population</b>	
<b>Communications Tax</b>	<b>Allocated based on tax roll/population</b>	\$185,926
<b>Alcoholic Beverage License</b>	<b>Allocation based on \$0.23 per person</b>	\$0
<b>Business Tax</b>		\$74,712
<b>Interest</b>	<b>Allocation based on .542% of total revenue</b>	\$15,299
<b>Sheriff and Police Fees</b>	<b>Allocation based on population</b>	\$0
<b>Miscellaneous Revenues</b>	<b>Allocation based on \$0.79 per person</b>	\$0
<b>Revenue to UMSA</b>		<b>\$2,062,999</b>
<b>Cost of Providing UMSA Services</b>		
<b>Police Department</b>		\$1,157,417
<b>UMSA Police Budget (without specialized)</b>		
<b>Parks, Recreation and Open Spaces Dept.</b>	<b>Based on cost of parks</b>	\$0
<b>Right-of-Way Maintenance</b>		
<b>Centerline Miles</b>	<b>Centerline miles times cost per lane mile</b>	\$48,755
<b>Policy Formulation</b>		
Commission, Mayor, County Attorney	<b>Direct Cost multiplied by 2.71%</b>	\$32,687
<b>Internal Support</b>		
Information Technology, Internal Services, Human Resources Communications, Audit and Management, Management and Budget	<b>Direct Cost multiplied by 4.86%</b>	\$58,620
<b>Planning and Non-Departmental</b>		
Regulatory and Economic Resources, Rec. and Culture, Economic Development, Neighborhood Infrastructure	<b>Direct Cost multiplied by 6.7%</b>	\$80,814
<b>QNIP Debt Service Payment</b>	<b>Utility Taxes as a % of debt service 11.0%</b>	\$66,186
<b>Cost of Providing UMSA Services</b>		<b>\$1,444,479</b>
<b>Net to UMSA</b>		<b>\$618,520</b>
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 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.		
<b>2018 Taxable Property Rolls</b>		\$975,531,610
<b>2018 Area Population</b>		0
<b>2018 UMSA Population</b>		1,184,388
<b>2018-19 UMSA Millage</b>		1.9283
<b>Patrollable Sq. Miles - UMSA</b>		207.90
<b>Total Calls For Service - UMSA CY 2017</b>		647,328
<b>Part 1 Crimes - UMSA 2017</b>		41,037
<b>Part 2 Crimes - UMSA 2017</b>		17,032
<b>Patrollable Sq. Miles - Study Area</b>		1.59
<b>Total Calls for Service - Study Area</b>		3,315
<b>Part 1 Crimes - Study Area</b>		137
<b>Part 2 Crimes - Study Area</b>		49
<b>Cost per Centerline Mile</b>		\$3,839
<b>Number of Centerline Miles</b>		12.7
<b>Per Capita Taxable Value</b>		N/A

**CITY OF MIAMI SPRINGS, FLORIDA**  
**2017 ANNEXATION REPORT**



June 26, 2017

**CITY OF MIAMI SPRINGS, FLORIDA 2017 ANNEXATION REPORT**

Pursuant to Ordinance No. 1090-2017, the City of Miami Springs duly authorizes the submittal of this Annexation Report to Miami-Dade County.



Submitted by:

Mayor Billy Bain

Councilman Robert A. Best

Councilwoman Maria Puente Mitchell

Councilwoman Mara Zapata

Councilman Jaime Petralanda

Staff

William Alonso, City Manager

Dan Espino, City Attorney

Erika Gonzalez-Santamaria, MMC, City clerk

Prepared by:



**Calvin, Giordano & Associates, Inc.**  
EXCEPTIONAL SOLUTIONS™

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Attachment "A"

**1. Executive Summary**

With this re-submittal, the City of Miami Springs (City) wishes to continue the annexation process begun in November 2002 and re-initiated in 2003, 2004 and 2009. Since 2009 the proposed annexation area boundaries have not been amended and/or readjusted based on negotiations with the surrounding municipalities of: Village of Virginia Gardens, Town of Medley and City of Doral. At this time, consensus has been reached between the four municipalities which should allow this and the other municipal applications to move forward. The City along with the municipalities listed above have worked diligently over a number of years to bring these annexation requests to fruition.

The City wishes to annex approximately 1,018 acres, or 1.59 square miles, which are contiguous to the City's current western municipal boundary (See Location Aerial). This area is located generally south of the NW 74<sup>th</sup> Street Connector, north of NW 36<sup>th</sup> Street, east of SR 826 and west of the City's current western boundary (NW 67<sup>th</sup> Avenue), but excluding the FEC Tracts. This proposed annexation area comprises mostly industrial and commercial land (See attached). The Annexation Area is also described generally as all or portions of: Sections 14, 23 and 26, Township 53, Range 40.

The predominant character of the City is that of an enclave of approximately 14,500 persons residing in a fully developed, residential community with retail and office components within the urbanized area of Miami-Dade County. Industrial and Terminal land uses are currently not authorized land use categories. Amendments to the Comprehensive Plan of the City would take place to allow such uses after successfully annexing the proposed area. Commercial development within the City is centered around Curtiss Parkway, Westward Drive, Royal Poinciana Boulevard and NW 36<sup>th</sup> Street. The City has numerous unique historic and archeological resources for which it is known.

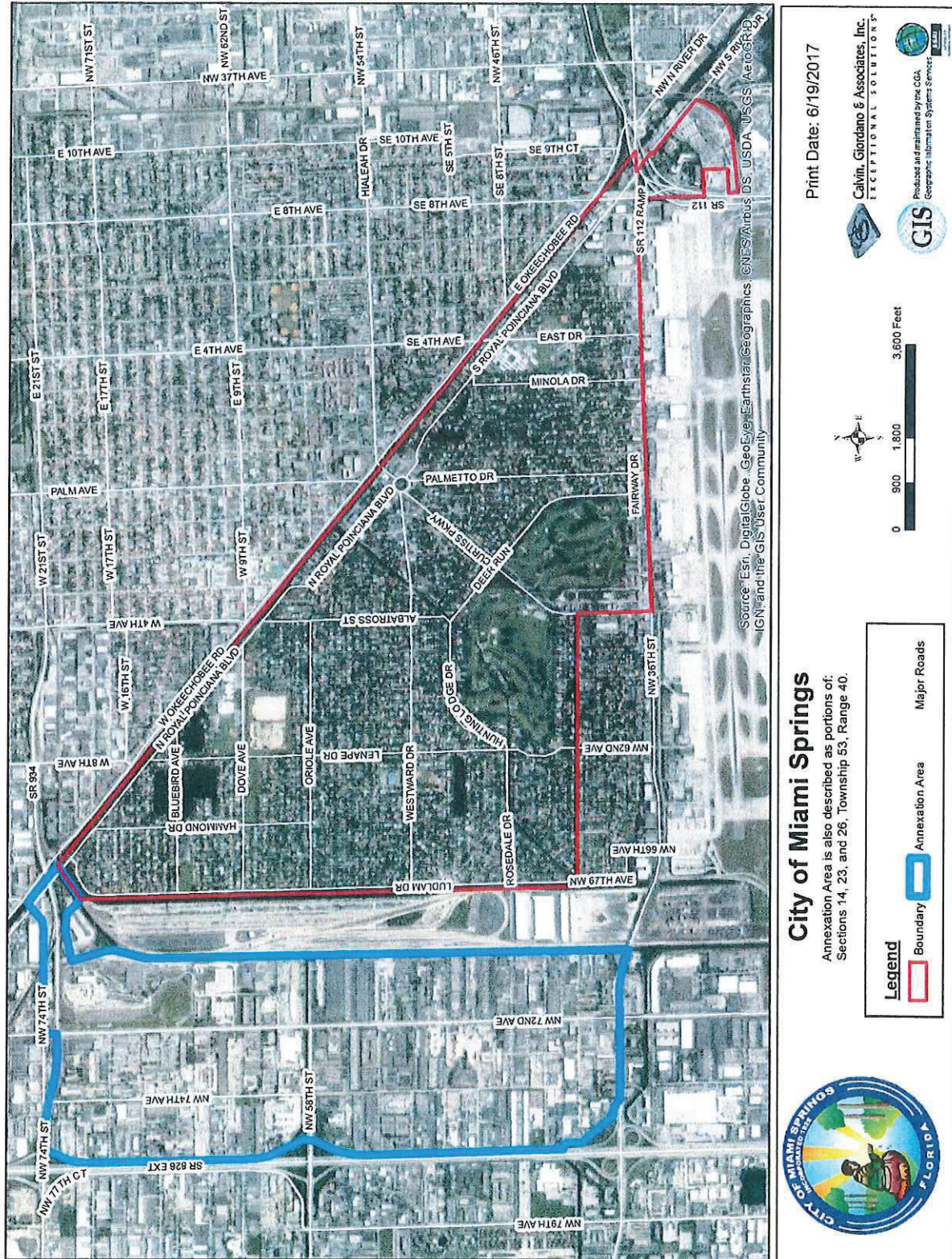
The City is bordered to the north by the City of Hialeah, to the east by the City of Miami, to the south by Miami International Airport, to the southwest by Virginia Gardens and to the west by unincorporated Miami-Dade County.

As a successful, well planned and maintained community the City wishes to expand its municipal boundaries so the same may also benefit the Annexation Area.

In summary, the Annexation Area will further provide for the fiscal strength and long term growth of the City by increasing its tax base and allowing for significant job opportunities within the City. Through more localized planning, review and enforcement of regulations the needs of this very important employment and economic center will be fully realized. Additionally, the City is aware of the provisions of the Miami-Dade County Terminal Ordinance and would abide by the terms within the Ordinance with respect to planning and zoning regulation.



2. Location Aerial





**3. Resolutions Authorizing Submittal of Annexation Requests to Miami-Dade County**

Ordinance No. 1090-2017 (Adopted June 26, 2017)

Ordinance No. 977-2009 (Adopted May 11, 2009)

Resolution No. 2002-3204 (Adopted November 12, 2002)

Ordinance No. 900-2003 (Adopted July 14, 2003)

Ordinance No. 912-2004 (Adopted March 30, 2004)

ORDINANCE NO. 1090 – 2017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA, RECONFIRMING ITS INTENTIONS CONSISTENT WITH CITY ORDINANCES NO. 900-2003, 912-2004, AND 977-2009 AND RESOLUTION 2002-3204 AND CONTINUING ITS EFFORTS IN INITIATING AND REQUESTING A BOUNDARY CHANGE TO THE CITY OF MIAMI SPRINGS BY ANNEXATION OF CERTAIN IDENTIFIED AND SPECIFIED CONTIGUOUS AND ADJACENT UNINCORPORATED AREAS OF MIAMI-DADE COUNTY LEGALLY DESCRIBED AS PORTIONS OF SECTIONS 14, 23, AND 26; REQUESTING APPROVAL OF THE ANNEXATION FROM THE BOARD OF COUNTY COMMISSIONERS; AUTHORIZING THE MAYOR, CITY MANAGER, CITY CLERK, AND CITY ATTORNEY TO TAKE ANY AND ALL ACTIONS NECESSARY TO SUBMIT THE SUBJECT BOUNDARY CHANGES TO THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS; AUTHORIZING TRANSMITTAL OF THIS ORDINANCE AND ACCOMPANYING DOCUMENTS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, the City Council of the City of Miami Springs (the "City") previously authorized and approved Ordinances No. 900-2003, 912-2004, and 977-2009 and Resolution No. 2002-3204, all of which notified Miami-Dade County of the City's interest in the annexation of certain contiguous and adjacent unincorporated areas of the county; and,

**WHEREAS**, at that time the City contracted with The Corradino Group to investigate and prepare a report on the feasibility and appropriateness of the City annexing the subject contiguous and adjacent unincorporated areas of the county identified in Resolution No. 2002-3204; and,

**WHEREAS**, the City previously received, reviewed and discussed the City of Miami Springs Annexation Report received from The Corradino Group; and,

**WHEREAS**, pursuant to state law, municipalities located within the boundaries of Miami-Dade County are required to comply with the annexation procedures and requirements established by Miami-Dade County; and,



**WHEREAS**, Section 5.04 of the Home Rule Charter of Miami-Dade County authorizes and empowers the Board of County Commissioners of Miami-Dade County to effect boundary changes through the annexation process upon the request of a municipality; and,

**WHEREAS**, Section 20-3 of the Miami-Dade County Code of Ordinances specifies the procedures and requirements that must be complied with by a municipality wishing to initiate a boundary change by the annexation process with the county; and,

**WHEREAS**, in 2003, the City Council of the City of Miami Springs determined that it was desirous of changing its municipal boundaries by the addition of certain contiguous and adjacent unincorporated areas of the county through the utilization of the county annexation process by and through the enactment of Ordinance No. 900-2003 on July 14, 2003; and,

**WHEREAS**, following the enactment of Ordinance No. 900-2003, the City determined that certain lands sought for annexation therein and thereby should no longer be annexed by the City; and,

**WHEREAS**, at that time, the City was also desirous of correcting certain inconsistencies and conflicts, and complying with certain requirements noted by Miami-Dade County in its review of the City's application for annexation filed in conjunction with Ordinance No. 900-2003; and,

**WHEREAS**, in an effort to present the County with a more concise and accurate application, the City determined that it was then appropriate to again follow, and comply with, the ordinance and application processes required for the filing of a new annexation application instead of amending the presently pending application; and,

**WHEREAS**, the City attached thereto, as Exhibit "A", the legal description of those unincorporated areas of the county being sought for the proposed boundary change through the annexation process and a map, attached as Exhibit "B", which depicted and more graphically identified the unincorporated areas of the county sought for annexation by the City; and,

**WHEREAS**, City of Miami Springs Charter Section 2.02 requires and mandates that any proposed annexation by the City must be authorized by ordinance; and,

**WHEREAS**, in the process of enactment of ordinance No. 912-2004, the City complied with all city requirements for enactment and the notice and public hearing requirements mandated by Miami-Dade County Code of Ordinance Section 20-3; and,

**WHEREAS**, that in addition to the foregoing, the City previously accomplished all threshold requirements mandated by county ordinance for the initiation of boundary



change/annexation proceedings and was prepared to comply with all the requirements of Code of Ordinance Section 20-3 and all other code requirements and procedures of Miami-Dade County for annexation; and,

**WHEREAS**, the City was prepared to address the fiscal impacts of its proposed annexation with the appropriate county officials and the Board of County Commissioners and believed that the proposed annexation was both proper and appropriate and consistent with the policy of Miami-Dade County to provide balance in the annexation process between those municipalities which are primarily residential and those which are predominantly industrial and commercial; and,

**WHEREAS**, the City Council of the City of Miami Springs determined that it was both proper and appropriate, and in the best interests of the City and its citizens, to secure the requested boundary change through the annexation process with Miami-Dade County by the enactment of City ordinance No. 912-2004; and,

**WHEREAS**, since the enactment of ordinance No. 912-2004, the City participated in County mandated conferences with the Village of Virginia Gardens, Town of Medley and City of Doral in an effort to secure joint approval of the annexation boundary lines for each of the four cities; and,

**WHEREAS**, following many conferences, meetings, discussions, and an "ex parte session" with county officials, the four (4) cities were finally able to agree on the annexation boundary lines to be provided to the County; and,

**WHEREAS**, it was mutually agreed by the four (4) cities and the county, that each city would only be required to file amended annexation applications instead of starting the process from the beginning; and,

**WHEREAS**, the city re-hired The Corradino Group to update its annexation report previously provided to the city and to amend the city's pending annexation application with the county; and,

**WHEREAS**, the City Council continued to conduct discussion and debate on annexation at its City Council meetings, conducted a Special Meeting for the purpose of presenting the updated annexation report by The Corradino Group, and called a Special City Election for citizens to vote on the pending annexation (copies of the ballot question and diagram of the proposed annexation area are attached hereto for reference); and,

**WHEREAS**, the City Council adopted Resolution No. 2009-3437 on March 16, 2009, which supported the pending annexation by the City and the citizens of Miami Springs authorized and approved the City's proposed annexation by a margin of 76.09% for and 23.91% against (a copy of the ballot tabulation sheet is attached hereto for reference) at the city's Special Election of April 7, 2009; and,



**WHEREAS**, the Miami-Dade Commission did not hear the application at the time; and,

**WHEREAS**, the Cities of Miami Springs and Doral, the Village of Virginia Gardens and the Town of Medley have met in order to re-initiate the annexation process for each municipality; and,

**WHEREAS**, the City has hired Calvin Giordano & Associates to update the annexation report and to amend the city's pending annexation application with the county; and,

**WHEREAS**, in light of all the foregoing acts and actions taken by the city in the investigation of annexation, the currently updated city annexation report and amended annexation application, the City Council has determined, that is both proper and appropriate and in the best interests of the City and its citizens, to enact this ordinance to comply with the City Charter and the annexation procedures of Miami-Dade County, and to secure the requested boundary change through the annexation process with Miami-Dade County:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:**

**Section 1. Recitals.** The foregoing recitals are confirmed, adopted, and incorporated herein and made a part hereof by this reference.

**Section 2. Confirmed Position.** The City Council hereby reconfirms its intentions, consistent with Ordinances No. 900-2003, 912-2004, and 977-2009 and Resolution 2002-3204, to extend and enlarge of the City's boundaries to include portions Sections 14, 23, and 26 in Miami-Dade County, Florida, further described in Exhibit "A",

**Section 3. Authorization.** The City Council of the City of Miami Springs hereby authorizes and approves the boundary change and annexation proposed in this Ordinance and the corresponding amendment of the legal description of the City contained in the Charter of the City of Miami Springs to reflect the addition of the contiguous and adjacent unincorporated areas of Miami-Dade County acquired through the annexation process which are more particularly described in the legal description and map attached hereto as Exhibits "A" and "B" respectively.

**Section 4. Request for Approval.** The City Council of the City of Miami Springs hereby requests the Board of County Commissioners of Miami-Dade County, Florida, to adopt an appropriate ordinance granting the request of the City of Miami Springs for the annexation of the contiguous and adjacent unincorporated areas of Miami-Dade County identified in Exhibits "A" and "B" attached hereto, and by so doing,

authorize the amendment and enlargement of the municipal boundaries of the City of Miami Springs.

**Section 5. Implementation.** The City Manager, City Clerk and City Attorney are hereby authorized and directed to perform any and all actions as may be deemed necessary or desirable to reinitiate and continue the boundary change procedure in accordance with Chapter 20 of the Code of Miami-Dade County and submit the annexation proposed herein to the Board of County Commissioners of Miami-Dade County for their consideration and other implement the purpose and provision of this Resolution

**Section 6. Transmittal.** The City Clerk is hereby authorized and directed to transmit three (3) duly certified copies of this Ordinance, including the exhibits attached hereto, together with proof of compliance of the notice requirements set forth in Miami-Dade County Ordinance Section 20-3, accompanied by all other documentation and information required by the aforesaid Code Section to Miami-Dade County.

**Section 7. Conflicts.** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent that they conflict with the intent and provisions of this Ordinance. .

**Section 8. Effective Date.** This Ordinance shall take effect immediately upon adoption.

**PASSED ON FIRST READING** this 12th day of June, 2017, on a motion made by Vice Mayor Best and seconded by Councilman Petralanda.

**PASSED AND ADOPTED ON SECOND READING** this 26th day of June, 2017, on a motion made by Vice Mayor Best and seconded by Councilman Petralanda.

Vice Mayor Bob Best	<u>YES</u>
Councilwoman Maria Mitchell	<u>YES</u>
Councilwoman Mara Zapata	<u>YES</u>
Councilman Jaime Petralanda	<u>YES</u>
Mayor Billy Bain	<u>YES</u>

  
\_\_\_\_\_  
Billy Bain, Mayor

ATTEST:

  
Erika Gonzalez-Santamaria, MMC  
City Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY

  
Weiss Serota Helman Cole & Bierman, P.L., City Attorney

First reading: 06/12/17  
Second reading: 06/26/2017

Words ~~-stricken through-~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.



EXHIBIT "A"Legal Description

A portion of sections 14, 23 and 26, lying in township 53 south, range 40 east, all lying and being in Miami-Dade County, Florida, as it is more particularly described to wit;

Begin at the northeast corner of section 26, township 53 south, range 40 east; thence southerly along the east line of said section 26 to a point, said point being the intersection of the centerline of NW 36 Street (state road 948) as shown on Florida Department of Transportation right-of-way map section 87220-2506 and the east line of said section 26; thence westerly along the centerline of NW 36 Street (state road 948) as shown on Florida Department of Transportation right-of-way map section 87220-2506 to the intersection of the southerly extension of the easterly limited access right-of-way line of state road 826 (Palmetto Expressway) as shown on Florida Department of Transportation right-of-way map section 87260-2516; thence northerly along the easterly limited access right-of-way line of state road 826 (Palmetto Expressway) as shown on Florida Department of Transportation right-of-way map sections 87260-2516 and 87260-2517 to the intersection of the north line of section 23, township 53 south, range 40 east and the northerly extension of the easterly limited access right-of-way line of state road 826 (Palmetto Expressway) as shown on Florida Department of Transportation right-of-way map section 87260-2517; thence easterly along the south line of said section 23 to a point, said point being the intersection of the southerly extension of the easterly limited access right-of-way line of state road 826 (Palmetto Expressway) as shown on Florida Department of Transportation right-of-way map section 87260-2517 and the south line of said section 23, thence continue northerly along the easterly limited access right-of-way line of state road 826 (Palmetto Expressway) as shown on Florida Department of Transportation right-of-way map sections 87260-2517 and 87260-2518 to a point, said point being the southerly right-of-way line of state road 934 (Hialeah Expressway) as shown on Florida Department of Transportation right-of-way map section 87080-2515; thence easterly along the southerly right-of-way line of state road 934 (Hialeah Expressway) as shown on Florida Department of Transportation right-of-way map section 87080-2515 to a point, said point being the intersection of the centerline of NW 74 Avenue and the easterly extension on the southerly right-of-way line of state road 934 (Hialeah Expressway) as shown on Florida Department of Transportation right-of-way map section 87080-2515; thence northerly along the centerline of NW 74 Avenue to a point of intersection with the westerly extension of the southerly right-of-way line of state road 934



(Hialeah Expressway) as shown on Florida Department of Transportation right-of-way map section 87080-2515; thence continue easterly along the southerly right-of-way line of state road 934 (Hialeah Expressway) as shown on Florida Department of Transportation right-of-way map section 87080-2515 to a point, said point being the intersection of the west line of the NE  $\frac{1}{4}$  of section 14, township 53 south, range 40 east and the easterly extension of the southerly right-of-way line of state road 934 (Hialeah Expressway) as shown on Florida Department of Transportation right-of-way map section 87080-2515, thence northerly along the west line of the NE  $\frac{1}{4}$  of said section 14, also being the centerline of state road 969 (NW 72 Avenue) to a point of intersection with the easterly extension of the southerly right-of-way line of NW 74 Street as shown on Florida Department of Transportation right-of-way map section 87080-2515, thence easterly along the southerly right-of-way line of NW 74 Street and NW 74 Street extension, said right-of-way line also being 40.00 feet south of and parallel to the north line of the NE  $\frac{1}{4}$  of section 14, township 53 south, range 40 east, to a point on the west line of the NW  $\frac{1}{4}$  of section 13, township 53 south, range 40 east; thence continue easterly along a line 40.00 feet south of and parallel to the north line of the NW  $\frac{1}{4}$  of said section 13 to a point, said point being on the easterly right-of-way line of Royal Poinciana Boulevard; thence southeasterly along the easterly right-of-way line of Royal Poinciana Boulevard to a point, said point being the intersection of the centerline of the Florida East Coast Railroad and the easterly right-of-way line of Royal Poinciana Boulevard; thence southwesterly along the centerline of the Florida East Coast Railroad, also being the northern city limits of the City of Miami Springs, to a point, said point being on a line 50.00 feet west of and parallel to the west line of section 13, township 53 south, range 40 east and the western city limits of the City of Miami Springs; thence southerly along a line 50.00 feet west of and parallel to west line of sections 13 and 24, township 53 south, range 40 east, to a point, said point being on the south line of the SE  $\frac{1}{4}$  of section 23, township 53 south, range 40 east; thence easterly along the south line of the SE  $\frac{1}{4}$  of said section 23 to the Point of Beginning.

Excluding all properties known as the FEC Tracts; and, more specifically described as Folios 05-3013-001-0430, 30-3014-001-0170, 30-3014-001-0180, 30-3014-001-0190, 30-3023-001-0100, 30-3023-001-0371, 30-3023-001-0372, 30-3023-001-0373, 30-3023-001-0374, 30-3026-000-0067, 30-3026-000-0068 and 30-3026-000-0069.

Containing ~~4,331~~ 1,018 acres more or less.







**ORDINANCE NO. 977-2009**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS; INITIATING AND REQUESTING A BOUNDARY CHANGE, BY ANNEXATION, FOR THE CITY OF MIAMI SPRINGS OF CERTAIN IDENTIFIED AND SPECIFIED CONTIGUOUS AND ADJACENT UNINCORPORATED AREAS OF MIAMI-DADE COUNTY; PROVIDING CITY OF MIAMI SPRINGS CITY COUNCIL APPROVAL; DELINEATING THE REQUESTED ANNEXATION BOUNDARY CHANGE BY MIAMI-DADE COUNTY; AUTHORIZING ALL APPROPRIATE AND CONSISTENT ACTIONS BY CITY OFFICERS, OFFICIALS, AND CITY COUNCIL MEMBERS; DIRECTIONS TO THE CITY CLERK FOR ACTIONS REQUIRED BY THIS ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Miami Springs previously authorized and approved City Resolution No. 2002-3204 which notified Miami-Dade County of the City's interest in the annexation of certain contiguous and adjacent unincorporated areas of the county; and,

**WHEREAS**, at that time the City contracted with The Corradino Group to investigate and prepare a report on the feasibility and appropriateness of the City annexing the subject contiguous and adjacent unincorporated areas of the county identified in Resolution No. 2002-3204; and,

**WHEREAS**, the City previously received, reviewed and discussed the City of Miami Springs Annexation Report received from The Corradino Group; and,

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**WHEREAS**, pursuant to state law, municipalities located within the boundaries of Miami-Dade County are required to comply with the annexation procedures and requirements established by Miami-Dade County; and,

**WHEREAS**, Section 5.04 of the Home Rule Charter of Miami-Dade County authorizes and empowers the Board of County Commissioners of Miami-Dade County to effect boundary changes through the annexation process upon the request of a municipality; and,

**WHEREAS**, Section 20-3 of the Miami-Dade County Code of Ordinances specifies the procedures and requirements that must be complied with by a municipality wishing to initiate a boundary change by the annexation process with the county; and,

**WHEREAS**, in 2003, the City Council of the City of Miami Springs determined that it was desirous of changing its municipal boundaries by the addition of certain contiguous and adjacent unincorporated areas of the county through the utilization of the county annexation process by and through the enactment of Ordinance No. 900-2003 on July 14, 2003; and,

**WHEREAS**, following the enactment of Ordinance No. 900-2003, the City determined that certain lands sought for annexation therein and thereby should no longer be annexed by the City; and,

**WHEREAS**, at that time, the City was also desirous of correcting certain inconsistencies and conflicts, and complying with certain requirements noted by Miami-Dade County in its review of the City's application for annexation filed in conjunction with Ordinance No. 900-2003; and,

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**WHEREAS**, in an effort to present the County with a more concise and accurate application, the City determined that it was then appropriate to again follow, and comply with, the ordinance and application processes required for the filing of a new annexation application instead of amending the presently pending application; and,

**WHEREAS**, the City attached thereto, as Exhibit "A", the legal description of those unincorporated areas of the county being sought for the proposed boundary change through the annexation process and a map, attached as Exhibit "B", which depicted and more graphically identified the unincorporated areas of the county sought for annexation by the City; and,

**WHEREAS**, City of Miami Springs Charter Section 2.02 requires and mandates that any proposed annexation by the City must be authorized by ordinance; and,

**WHEREAS**, in the process of enactment of ordinance No. 912-2004, the City complied with all city requirements for enactment and the notice and public hearing requirements mandated by Miami-Dade County Code of Ordinance Section 20-3; and,

**WHEREAS**, that in addition to the foregoing, the City previously accomplished all threshold requirements mandated by county ordinance for the initiation of boundary change/annexation proceedings and was prepared to comply with all the requirements of Code of Ordinance Section 20-3 and all other code requirements and procedures of Miami-Dade County for annexation; and,

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**WHEREAS**, the City was prepared to address the fiscal impacts of its proposed annexation with the appropriate county officials and the Board of County Commissioners and believed that the proposed annexation was both proper and appropriate and consistent with the policy of Miami-Dade County to provide balance in the annexation process between those municipalities which are primarily residential and those which are predominantly industrial and commercial; and,

**WHEREAS**, the City Council of the City of Miami Springs determined that it was both proper and appropriate, and in the best interests of the City and its citizens, to secure the requested boundary change through the annexation process with Miami-Dade County by the enactment of City ordinance No. 912-2004; and,

**WHEREAS**, since the enactment of ordinance No. 912-2004, the City participated in County mandated conferences with the Village of Virginia Gardens, Town of Medley and City of Doral in an effort to secure joint approval of the annexation boundary lines for each of the four cities; and,

**WHEREAS**, following many conferences, meetings, discussions, and an “ex parte session” with county officials, the four (4) cities were finally able to agree on the annexation boundary lines to be provided to the County; and,

**WHEREAS**, it was mutually agreed by the four (4) cities and the county, that each city would only be required to file amended annexation applications instead of starting the process from the beginning; and,

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**WHEREAS**, the city re-hired The Corradino Group to update its annexation report previously provided to the city and to amend the city's pending annexation application with the county; and,

**WHEREAS**, the City Council continued to conduct discussion and debate on annexation at its City Council meetings, conducted a Special Meeting for the purpose of presenting the updated annexation report by The Corradino Group, and called a Special City Election for citizens to vote on the pending annexation (copies of the ballot question and diagram of the proposed annexation area are attached hereto for reference); and,

**WHEREAS**, the City Council adopted Resolution No. 2009-3437 on March 16, 2009, which supported the pending annexation by the City and the citizens of Miami Springs authorized and approved the City's proposed annexation by a margin of 76.09% for and 23.91% against (a copy of the ballot tabulation sheet is attached hereto for reference) at the city's Special Election of April 7, 2009; and,

**WHEREAS**, in light of all the foregoing acts and actions taken by the city in the investigation of annexation, the currently updated city annexation report and amended annexation application, City Resolution No. 2009-3437 supporting annexation and the mandate of the voters in support of annexation secured at the Special City Election of April 7, 2009, the City Council has determined, that is both proper and appropriate and in the best interests of the City and its citizens, to enact this ordinance to comply with the City Charter and the annexation procedures of Miami-Dade County, and to secure the requested boundary change through the annexation process with Miami-Dade County:

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**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF MIAMI SPRINGS, FLORIDA:**

**Section 1:** That the above recitals are true and correct and are hereby incorporated herein and made a part hereof by this reference.

**Section 2:** That the City Council of the City of Miami Springs hereby authorizes and approves the boundary change and annexation proposed in this ordinance and the corresponding amendment of the legal description of the City contained in the Charter of the City of Miami Springs to reflect the addition of the contiguous and adjacent unincorporated areas of Miami-Dade County acquired through the annexation process which are more particularly described in the legal description and map attached hereto as Exhibits "A" and "B" respectively.

**Section 3:** That the City Council of the City of Miami Springs hereby requests the Board of County Commissioners of Miami-Dade County, Florida, to adopt an appropriate ordinance granting the request of the City of Miami Springs for the annexation of the contiguous and adjacent unincorporated areas of Miami-Dade County identified in Exhibits "A" and "B" attached hereto, and by so doing, authorize the amendment and enlargement of the municipal boundaries of the City of Miami Springs.

**Section 4:** That the proper City officers, officials and members of the City Council are hereby authorized and directed to take such action and to execute such documentation as may be deemed necessary or desirable to effectuate the intent and mandate evidenced herein in regard to the City's annexation and boundary change request of Miami-Dade County.

Ordinance No. 977-2009

**Section 5:** That the City Clerk is hereby authorized and directed to transmit three (3) duly certified copies of this Ordinance, including the exhibits attached hereto, together with proof of compliance of the notice requirements set forth in Miami-Dade County Ordinance Section 20-3, accompanied by all other documentation and information required by the aforesaid Code Section to Miami-Dade County.

**Section 6:** That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

**Section 7:** That this Ordinance shall take effect immediately upon adoption.

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs,  
Florida this 11<sup>th</sup> day of May, 2009.

The motion to adopt the foregoing ordinance was offered on  
second reading by VICE MAYOR BEST ,  
seconded by COUNCILWOMAN ATOIZ ,  
and on roll call the following vote ensued:


Vice Mayor Best  
Councilman Espino

"aye"  
"aye"

Ordinance No. 977-2009

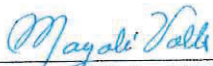
Councilman Lob  
Councilwoman Ator  
Mayor Bain

"aye"  
"aye"  
"aye"

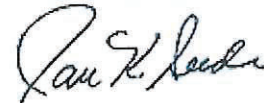
  
Billy Bain  
Mayor



ATTEST:

  
Magali Valls, CMC  
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

  
Jan K. Seiden, Esquire  
City Attorney

First reading: 04/22/2009  
Second reading: 05/11/2009

Words ~~stricken through~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.

Ordinance No. 977-2009



Legal Description

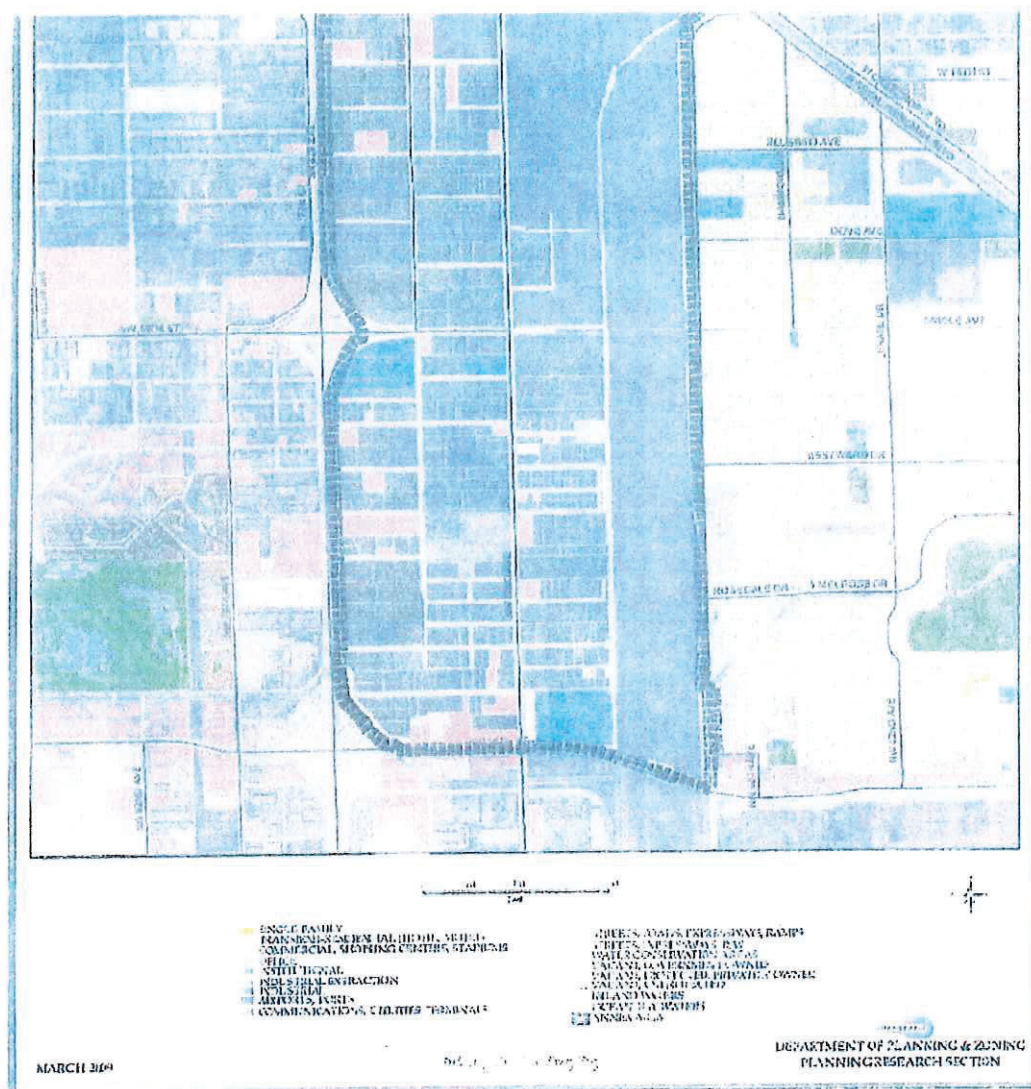
A portion of sections 11, 12, 13, 14, 23, 24 and 26, lying in township 53 south, range 40 east, all lying and being in Miami-Dade County, Florida, as it is more particularly described to wit;

Begin at the northeast corner of section 26, township 53 south, range 40 east; thence southerly along the east line of said section 26 to a point, said point being the intersection of the centerline of NW 36 Street (state road 948) as shown on Florida Department of Transportation right-of-way map section 87220-2506 and the east line of said section 26; thence westerly along the centerline of NW 36 Street (state road 948) as shown on Florida Department of Transportation right-of-way map section 87220-2506 to the intersection of the southerly extension of the easterly limited access right-of-way line of state road 826 (Palmetto Expressway) as shown on Florida Department of Transportation right-of-way map section 87260-2516; thence northerly along the easterly limited access right-of-way line of state road 826 (Palmetto Expressway) as shown on Florida Department of Transportation right-of-way map sections 87260-2516 and 87260-2517 to the intersection of the north line of section 23, township 53 south, range 40 east and the northerly extension of the easterly limited access right-of-way line of state road 826 (Palmetto Expressway) as shown on Florida Department of Transportation right-of-way map section 87260-2517; thence easterly along the south line of said section 23 to a point, said point being the intersection of the southerly extension of the easterly limited access right-of-way line of state road 826 (Palmetto Expressway) as shown on Florida Department of Transportation right-of-way map section 87260-2517 and the south line of said section 23, thence continue northerly along the easterly limited access right-of-way line of state road 826 (Palmetto Expressway) as shown on Florida Department of Transportation right-of-way map sections 87260-2517 and 87260-2518 to a point, said point being the southerly right-of-way line of state road 934 (Hialeah Expressway) as shown on Florida Department of Transportation right-of-way map section 87080-2515; thence easterly along the southerly right-of-way line of state road 934 (Hialeah Expressway) as shown on Florida Department of Transportation right-of-way map section 87080-2515 to a point, said point being the intersection of the centerline of NW 74 Avenue and the easterly extension on the southerly right-of-way line of state road 934 (Hialeah Expressway) as shown on Florida Department of Transportation right-of-way map section 87080-2515; thence northerly along the centerline of NW 74 Avenue to a point of intersection with the westerly extension of the southerly right-of-way line of state road 934 (Hialeah Expressway) as shown on Florida Department of Transportation right-of-way map section 87080-2515; thence continue easterly along the southerly right-of-way line of state road 934 (Hialeah Expressway) as shown on Florida Department of Transportation right-of-way map section 87080-2515 to a point, said point being the intersection of the west line of the NE  $\frac{1}{4}$  of section 14, township 53 south, range 40 east and the easterly extension of the southerly right-of-way line of state road 934 (Hialeah Expressway) as shown on Florida Department of Transportation right-of-way map section 87080-2515, thence northerly along the west line of the NE  $\frac{1}{4}$  of said section 14, also being the centerline of state road 969 (NW 72 Avenue) to a point of intersection with the easterly extension of the southerly right-of-way line of NW 74 Street as shown on Florida Department of Transportation right-of-way map section 87080-2515, thence easterly along the southerly right-of-way line of NW 74 Street and NW 74 Street extension, said right-of-way line also being 40.00 feet south of and parallel to the north line of the NE  $\frac{1}{4}$  of section 14, township 53 south, range 40 east, to a point on the west line of the NW  $\frac{1}{4}$  of section 13, township 53 south, range 40 east; thence continue easterly along a line 40.00 feet south of and parallel to the north line of the NW  $\frac{1}{4}$  of said section 13 to a point, said point being on the easterly right-of-way line of Royal Poinciana Boulevard; thence southeasterly along the easterly right-of-way line of Royal Poinciana Boulevard to a point, said point being the intersection of the centerline of the Florida East Coast Railroad and the easterly right-of-way line of Royal Poinciana Boulevard; thence southwesterly along the centerline of the Florida East Coast Railroad, also being the northern city limits of the City of Miami Springs, to a point, said point being on a line 50.00 feet west of and parallel to the west line



of section 13, township 53 south, range 40 east and the western city limits of the City of Miami Springs; thence southerly along a line 50.00 feet west of and parallel to west line of sections 13 and 24, township 53 south, range 40 east, to a point, said point being on the south line of the SE ¼ of section 23, township 53 south, range 40 east; thence easterly along the south line of the SE ¼ of said section 23 to the Point of Beginning.

Containing 1,352 acres more or less.



**RESOLUTION NO. 2002-3204**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS NOTIFYING MIAMI-DADE COUNTY OF THE CITY'S INTEREST IN THE ANNEXATION OF CERTAIN UNINCORPORATED AREAS ADJACENT TO THE CITY; REQUESTING PARTICIPATION IN ALL FUTURE ANNEXATION PROCESSES; DIRECTING PARTICIPATION BY ALL APPROPRIATE MUNICIPAL PERSONNEL; DIRECTING TRANSMISSION OF RESOLUTION BY CITY CLERK; EFFECTIVE DATE**

**WHEREAS**, Miami-Dade County has previously announced that it would consider the annexation of certain unincorporated areas into adjacent and neighboring municipalities under appropriate circumstances; and,

**WHEREAS**, the City of Miami Springs has received notification that certain areas to the west, south, and east of the City are being considered for annexation by other municipalities; and,

**WHEREAS**, at its Regular Meeting of October 8, 2002, the Miami-Dade County Commission deferred, for further discussion and review, any decision on the annexation of certain unincorporated areas to the west of the City by the Town of Medley and the yet to be incorporated area of Doral; and,

**WHEREAS**, the County Commission directed the County Administrative Staff to further review the annexation of the subject area and to secure and consider the positions of all adjacent municipalities in evaluating the feasibility and desirability of any annexation; and,

Resolution No. 2002-3204

1



WHEREAS, at its Regular City Council Meeting of October 14, 2002, the City Council of the City of Miami Springs directed the City Administrative Staff and the City Attorney's office to initiate all appropriate investigations, inquiries, and discussions regarding the possible annexing of unincorporated areas into the City; and,

WHEREAS, the initial investigations, inquiries, and discussions in regard to the annexation of unincorporated areas adjacent to the City have been conducted; and,

WHEREAS, the City has reviewed the policies and procedures adopted and implemented by the County in annexation matters in anticipation of the City's participating in the annexation process with the County and other interested municipalities; and,

WHEREAS, the City Council of the City of Miami Springs has determined that before the City would be in a position to enact an appropriate annexation resolution or to enter into discussions with the County Staff and other interested municipalities in the annexation of the unincorporated areas adjacent to all municipalities, it is both appropriate and proper for the City to officially notify Miami-Dade County of its interest in participating in, and being considered for, the annexation of the unincorporated areas to the west, south, and east of the City:

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:**

Section 1: That the City Council of the City of Miami Springs hereby officially notifies Miami-Dade County of the City's desire to participate in all appropriate processes and discussions with the County and any other interested municipality in regard to the annexation of the unincorporated areas depicted on the map attached hereto as Exhibit "A".

Resolution No. 2002-3204

## EXHIBIT 5

Section 2: That the City Council of the City of Miami Springs hereby requests that the City be included in all future discussions, negotiations, and meetings that relate to the annexation of any of the unincorporated areas depicted on Exhibit "A" attached hereto.

Section 3: That the City Council of the City of Miami Springs hereby directs all proper and appropriate City officers, officials, employees, and representatives, to participate in any and all future discussions, negotiations, and meetings regarding the annexation of any of the unincorporated areas depicted on Exhibit "A" attached hereto.

Section 4: That the City Clerk is hereby directed to forward a certified copy of this Resolution to the Clerk of the Miami-Dade County Commission for distribution to all appropriate County officials and officers.

Section 5: That this Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs, Florida, this 12<sup>th</sup> day of November, 2002.

The motion to adopt the foregoing resolution was offered by  
Councilwoman Gannon, seconded by Councilman Caudle, and on roll  
call the following vote ensued:

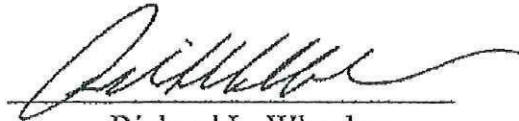
Vice Mayor Youngs  
Councilman Caudle

"aye"  
"aye"

Resolution No. 2002-3204

Councilwoman Fulton  
Councilwoman Gannon  
Mayor Wheeler

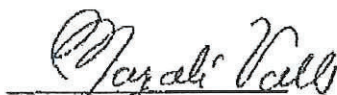
"aye"  
"aye"  
"aye"



Richard L. Wheeler  
Mayor

**ATTEST:**

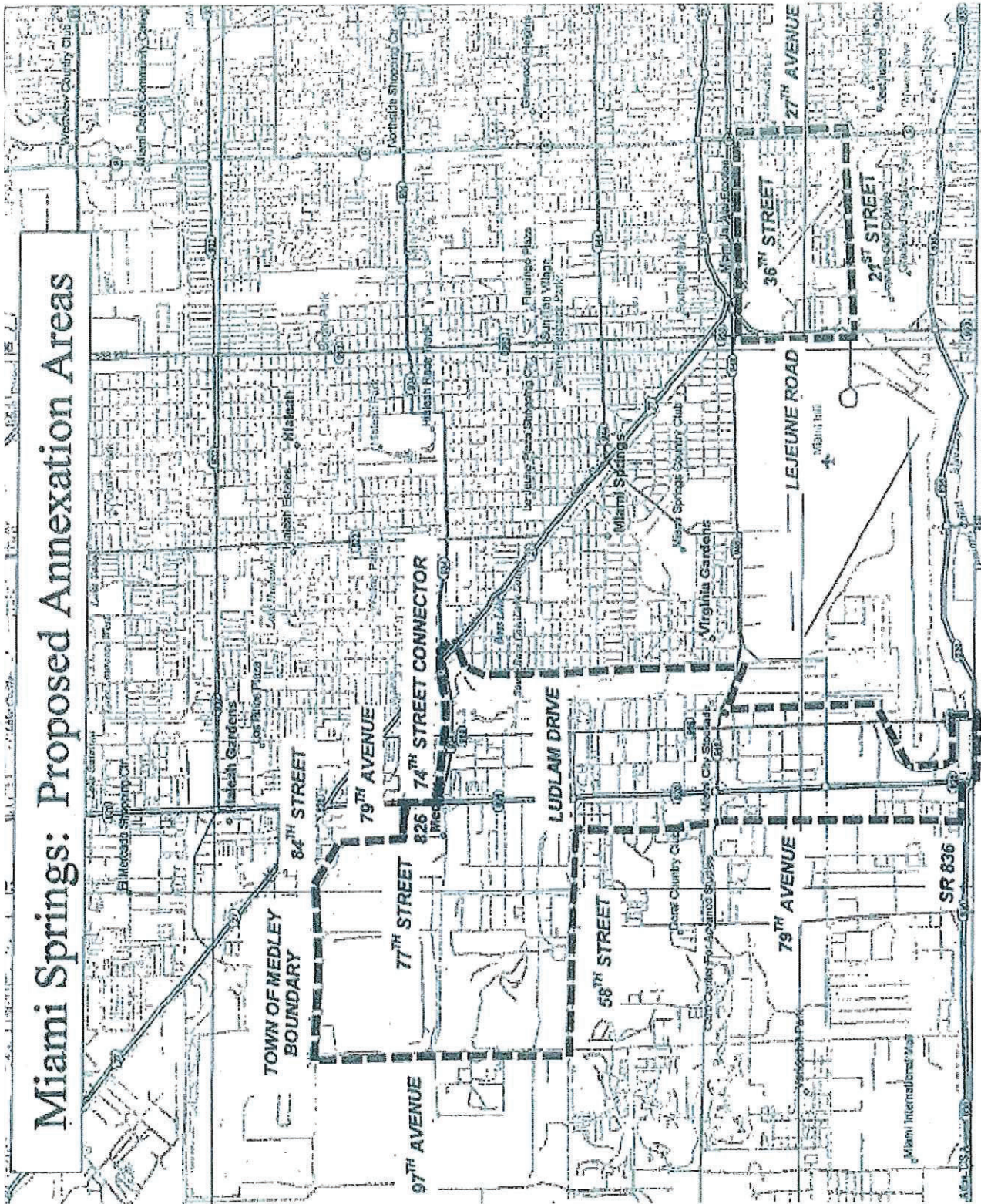
**APPROVED AS TO LEGALITY AND FORM:**

  
Magali Valls, CMC  
City Clerk

Jan K. Seiden  
Assistant City Attorney

Resolution No. 2002-3204







**ORDINANCE NO. 900-2003**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS; INITIATING AND REQUESTING A BOUNDARY CHANGE, BY ANNEXATION, FOR THE CITY OF MIAMI SPRINGS OF CERTAIN IDENTIFIED AND SPECIFIED CONTIGUOUS AND ADJACENT UNINCORPORATED AREAS OF MIAMI-DADE COUNTY; PROVIDING CITY OF MIAMI SPRINGS CITY COUNCIL APPROVAL; DELINEATING THE REQUESTED ANNEXATION BOUNDARY CHANGE BY MIAMI-DADE COUNTY; AUTHORIZING ALL APPROPRIATE AND CONSISTENT ACTIONS BY CITY OFFICERS, OFFICIALS, AND CITY COUNCIL MEMBERS; DIRECTIONS TO THE CITY CLERK FOR ACTIONS REQUIRED BY THIS ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Miami Springs previously authorized and approved City Resolution No. 2002-3204 which notified Miami-Dade County of the City's interest in the annexation of certain contiguous and adjacent unincorporated areas of the county; and,

**WHEREAS**, the City contracted with The Corradino Group to investigate and prepare a report on the feasibility and appropriateness of the City annexing the subject contiguous and adjacent unincorporated areas of the county identified in Resolution No. 2002-3204; and,

**WHEREAS**, the City has received, reviewed and discussed the City of Miami Springs Annexation Report received from The Corradino Group; and,

**WHEREAS**, pursuant to state law, municipalities located within the boundaries of Miami-Dade County are required to comply with the annexation procedures and requirements established by Miami-Dade County; and,

Ordinance No. 900-2003

1

**WHEREAS**, Section 5.04 of the Home Rule Charter of Miami-Dade County authorizes and empowers the Board of County Commissioners of Miami-Dade County to effect boundary changes through the annexation process upon the request of a municipality; and,

**WHEREAS**, Section 20-3 of the Miami-Dade County Code of Ordinances specifies the procedures and requirements that must be complied with by a municipality wishing to initiate a boundary change by the annexation process with the county; and,

**WHEREAS**, the City Council of the City of Miami Springs has determined that it is desirous of changing its municipal boundaries by the addition of certain contiguous and adjacent unincorporated areas of the county through the utilization of the county annexation process; and,

**WHEREAS**, the City has attached hereto, as Exhibit "A", the legal description of those unincorporated areas of the county being sought for the proposed boundary change through the annexation process and a map, attached as Exhibit "B", which depicts and more graphically identifies the unincorporated areas of the county sought for annexation by the City; and,

**WHEREAS**, City of Miami Springs Charter Section 2.02 requires and mandates that any proposed annexation by the City must be authorized by ordinance; and,

**WHEREAS**, in the process of enactment of this ordinance, the City has complied with all city requirements for enactment and the notice and public hearing requirements mandated by Miami-Dade County Code of Ordinance Section 20-3; and,

**WHEREAS**, that in addition to the foregoing, the City has accomplished all threshold requirements mandated by county ordinance for the initiation of boundary change/annexation proceedings and is prepared to comply with all the requirements of Code of Ordinance Section 20-3 and all other code requirements and procedures of Miami-Dade County for annexation; and,

**WHEREAS**, although the City is prepared to address the fiscal impacts of its proposed

Ordinance No. 900-2003



annexation with the appropriate county officials and the Board of County Commissioners, the City believes that the proposed annexation is both proper and appropriate and consistent with the policy of Miami-Dade County to provide balance in the annexation process between those municipalities which are primarily residential and those which are predominately industrial and commercial; and,

**WHEREAS**, the City Council of the City of Miami Springs has determined that it is both proper and appropriate, and in the best interests of the City and its citizens, to secure the requested boundary change through the annexation process with Miami-Dade County:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:**

**Section 1:** That the above recitals are true and correct and are hereby incorporated herein and made a part hereof by this reference.

**Section 2:** That the City Council of the City of Miami Springs hereby authorizes and approves the boundary change and annexation proposed in this ordinance and the corresponding amendment of the legal description of the City contained in the Charter of the City of Miami Springs to reflect the addition of the contiguous and adjacent unincorporated areas of Miami-Dade County acquired through the annexation process which are more particularly described in the legal description and map attached hereto as Exhibits "A" and "B" respectively.

**Section 3:** That the City Council of the City of Miami Springs hereby requests the Board of County Commissioners of Miami-Dade County, Florida, to adopt an appropriate ordinance granting the request of the City of Miami Springs for the annexation of the contiguous and adjacent unincorporated areas of Miami-Dade County identified in Exhibits "A" and "B" attached hereto, and by so doing, authorize the amendment and enlargement of the municipal

Ordinance No. 900-2003

boundaries of the City of Miami Springs.

**Section 4:** That the proper City officers, officials and members of the City Council are hereby authorized and directed to take such action and to execute such documentation as may be deemed necessary or desirable to effectuate the intent and mandate evidenced herein in regard to the City's annexation and boundary change request of Miami-Dade County.

**Section 5:** That the City Clerk is hereby authorized and directed to transmit three (3) duly certified copies of this Ordinance, including the exhibits attached hereto, together with proof of compliance of the notice requirements set forth in Miami-Dade County Ordinance Section 20-3, accompanied by all other documentation and information required by the aforesaid Miami-Dade County Code Section.

**Section 6:** That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

**Section 7:** That this Ordinance shall take effect in the manner provided by law.

**PASSED AND ADOPTED** by the City Council of the City of Miami Springs, Florida this 14<sup>th</sup> day of July, 2003.

The motion to adopt the foregoing ordinance was offered on second reading by Vice Mayor Elza, seconded by Councilman Pacheco, and on roll call the following vote ensued:

Vice Mayor Elza  
Councilman Caudle

"aye"  
"absent"

Ordinance No. 900-2003

Councilman Pacheco  
Councilman Youngs  
Mayor Bain

"aye"  
"aye"  
"aye"

  
Billy Bain  
Mayor

ATTEST:

  
Magali Valls, CMC  
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

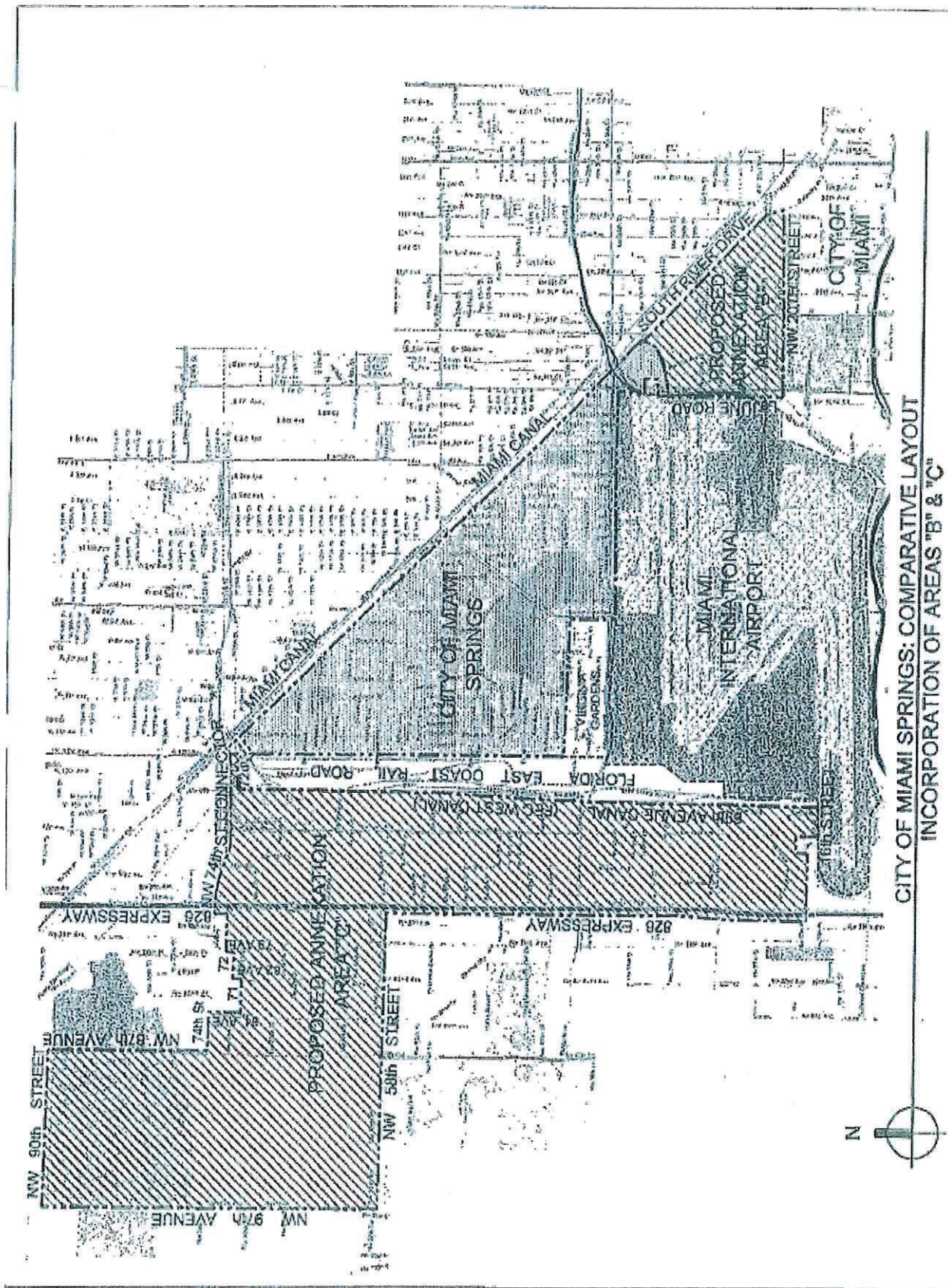
\_\_\_\_\_  
Jan K. Seiden, Esquire  
City Attorney

1st reading: 06/23/2003  
2nd reading: 07/14/2003

Words ~~stricken through~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.

Ordinance No. 900-2003







## ORDINANCE NO. 912-2004

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS; INITIATING AND REQUESTING A BOUNDARY CHANGE, BY ANNEXATION, FOR THE CITY OF MIAMI SPRINGS OF CERTAIN IDENTIFIED AND SPECIFIED CONTIGUOUS AND ADJACENT UNINCORPORATED AREAS OF MIAMI-DADE COUNTY; PROVIDING CITY OF MIAMI SPRINGS CITY COUNCIL APPROVAL; DELINEATING THE REQUESTED ANNEXATION BOUNDARY CHANGE BY MIAMI-DADE COUNTY; AUTHORIZING ALL APPROPRIATE AND CONSISTENT ACTIONS BY CITY OFFICERS, OFFICIALS, AND CITY COUNCIL MEMBERS; DIRECTIONS TO THE CITY CLERK FOR ACTIONS REQUIRED BY THIS ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; EFFECTIVE DATE.

WHEREAS, the City Council of the City of Miami Springs previously authorized and approved City Resolution No. 2002-3204 which notified Miami-Dade County of the City's interest in the annexation of certain contiguous and adjacent unincorporated areas of the county; and,

WHEREAS, the City contracted with The Corradino Group to investigate and prepare a report on the feasibility and appropriateness of the City annexing the subject contiguous and adjacent unincorporated areas of the county identified in Resolution No. 2002-3204; and,

WHEREAS, the City received, reviewed and discussed the City of Miami Springs Annexation Report received from The Corradino Group; and,

WHEREAS, pursuant to state law, municipalities located within the boundaries of Miami-Dade County are required to comply with the annexation procedures and requirements established by Miami-Dade County; and,

Ordinance No. 912-2004

**WHEREAS**, Section 5.04 of the Home Rule Charter of Miami-Dade County authorizes and empowers the Board of County Commissioners of Miami-Dade County to effect boundary changes through the annexation process upon the request of a municipality; and,

**WHEREAS**, Section 20-3 of the Miami-Dade County Code of Ordinances specifies the procedures and requirements that must be complied with by a municipality wishing to initiate a boundary change by the annexation process with the county; and,

**WHEREAS**, the City Council of the City of Miami Springs previously determined that it was desirous of changing its municipal boundaries by the addition of certain contiguous and adjacent unincorporated areas of the county through the utilization of the county annexation process by the enactment of Ordinance No. 900-2003 on July 14, 2003; and,

**WHEREAS**, since the enactment of Ordinance No. 900-2003, the City has determined that certain lands sought for annexation therein should no longer be annexed by the City; and,

**WHEREAS**, the City is also desirous of correcting certain inconsistencies and conflicts, and meeting certain requirements, raised by Miami-Dade County in its review of the City's application for annexation filed in conjunction with Ordinance No. 900-2003; and,

**WHEREAS**, in an effort to present the County with a more concise and accurate application, the City has determined that it is appropriate to again follow and comply with the ordinance and application processes required for the filing of a new annexation application instead of amending the presently pending application; and,

**WHEREAS**, the City has attached hereto, as Exhibit "A", the legal description of those unincorporated areas of the county being sought for the proposed boundary change through the annexation process and a map, attached as Exhibit "B", which depicts and more graphically

Ordinance No. 912-2004



identifies the unincorporated areas of the county sought for annexation by the City; and,

**WHEREAS**, City of Miami Springs Charter Section 2.02 requires and mandates that any proposed annexation by the City must be authorized by ordinance; and,

**WHEREAS**, in the process of enactment of this ordinance, the City has complied with all city requirements for enactment and the notice and public hearing requirements mandated by Miami-Dade County Code of Ordinance Section 20-3; and,

**WHEREAS**, that in addition to the foregoing, the City has accomplished all threshold requirements mandated by county ordinance for the initiation of boundary change/annexation proceedings and is prepared to comply with all the requirements of Code of Ordinance Section 20-3 and all other code requirements and procedures of Miami-Dade County for annexation; and,

**WHEREAS**, although the City is prepared to address the fiscal impacts of its proposed annexation with the appropriate county officials and the Board of County Commissioners, the City believes that the proposed annexation is both proper and appropriate and consistent with the policy of Miami-Dade County to provide balance in the annexation process between those municipalities which are primarily residential and those which are predominately industrial and commercial; and,

**WHEREAS**, the City Council of the City of Miami Springs has determined that it is both proper and appropriate, and in the best interests of the City and its citizens, to secure the requested boundary change through the annexation process with Miami-Dade County:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI SPRINGS, FLORIDA:**

**Section 1:** That the above recitals are true and correct and are hereby incorporated

Ordinance No. 912-2004

herein and made a part hereof by this reference.

**Section 2:** That the City Council of the City of Miami Springs hereby authorizes and approves the boundary change and annexation proposed in this ordinance and the corresponding amendment of the legal description of the City contained in the Charter of the City of Miami Springs to reflect the addition of the contiguous and adjacent unincorporated areas of Miami-Dade County acquired through the annexation process which are more particularly described in the legal description and map attached hereto as Exhibits "A" and "B" respectively.

**Section 3:** That the City Council of the City of Miami Springs hereby requests the Board of County Commissioners of Miami-Dade County, Florida, to adopt an appropriate ordinance granting the request of the City of Miami Springs for the annexation of the contiguous and adjacent unincorporated areas of Miami-Dade County identified in Exhibits "A" and "B" attached hereto, and by so doing, authorize the amendment and enlargement of the municipal boundaries of the City of Miami Springs.

**Section 4:** That the proper City officers, officials and members of the City Council are hereby authorized and directed to take such action and to execute such documentation as may be deemed necessary or desirable to effectuate the intent and mandate evidenced herein in regard to the City's annexation and boundary change request of Miami-Dade County.

**Section 5:** That the City Clerk is hereby authorized and directed to transmit three (3) duly certified copies of this Ordinance, including the exhibits attached hereto, together with proof of compliance of the notice requirements set forth in Miami-Dade County Ordinance Section 20-3, accompanied by all other documentation and information required by the aforesaid Miami-Dade County Code Section.

Ordinance No. 912-2004



Section 6: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed insofar as they are in conflict.

Section 7: That this Ordinance shall take effect immediately upon adoption.

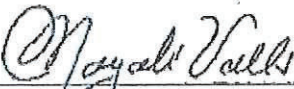
**PASSED AND ADOPTED** by the City Council of the City of Miami Springs, Florida this 30<sup>th</sup> day of March, 2004.

The motion to adopt the foregoing ordinance was offered on second reading by Councilman Pacheco, seconded by Councilman Youngs, and on roll call the following vote ensued:

Vice Mayor Caudle	"aye"
Councilman Elza	"absent"
Councilman Pacheco	"aye"
Councilman Youngs	"aye"
Mayor Bain	"aye"

  
 Billy Bain  
 Mayor

**ATTEST:**

  
 Magali Valls, CMC  
 City Clerk

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY:**

Jan K. Seiden, Esquire  
 City Attorney

1st reading: 03/22/2004

2nd reading: 03/30/2004

Words ~~stricken through~~ shall be deleted. Underscored words constitute the amendment proposed. Words remaining are now in effect and remain unchanged.

Ordinance No. 912-2004



Exhibit A

The legal description of the parcels comprising the Proposed Annexation Areas B and C are as follows:

That Portion of Section 28, Township 53 South, Range 41 East, Less and except those portions lying Northeasterly of the Centerline of the Miami-Canal Right of Way;

Together with

The East ½ of Section 29, Township 53 South, Range 41 East, Less and except those portions lying Northeasterly of the centerline of the Miami Canal Right of Way; and less that portion of the NE ¼ of said Section 29 previously annexed by the City of Miami Springs, as described in Chapter of the City of Miami Springs Corporate Limits, Section 2.01 (B) and (C) of the Code of Ordinances.

Together with

Section 15, Township 53 South, Range 40 East, less and except the following described Property: All of Tracts 1, 15, 16, 17, 18, and 19 of "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION No 1", in Section 15, Township 53 South, Range 40 East, according to the Plat thereof, as recorded in Plat Book 2, at page 17, of the Public Records of Miami-Dade County, Florida.

Together with

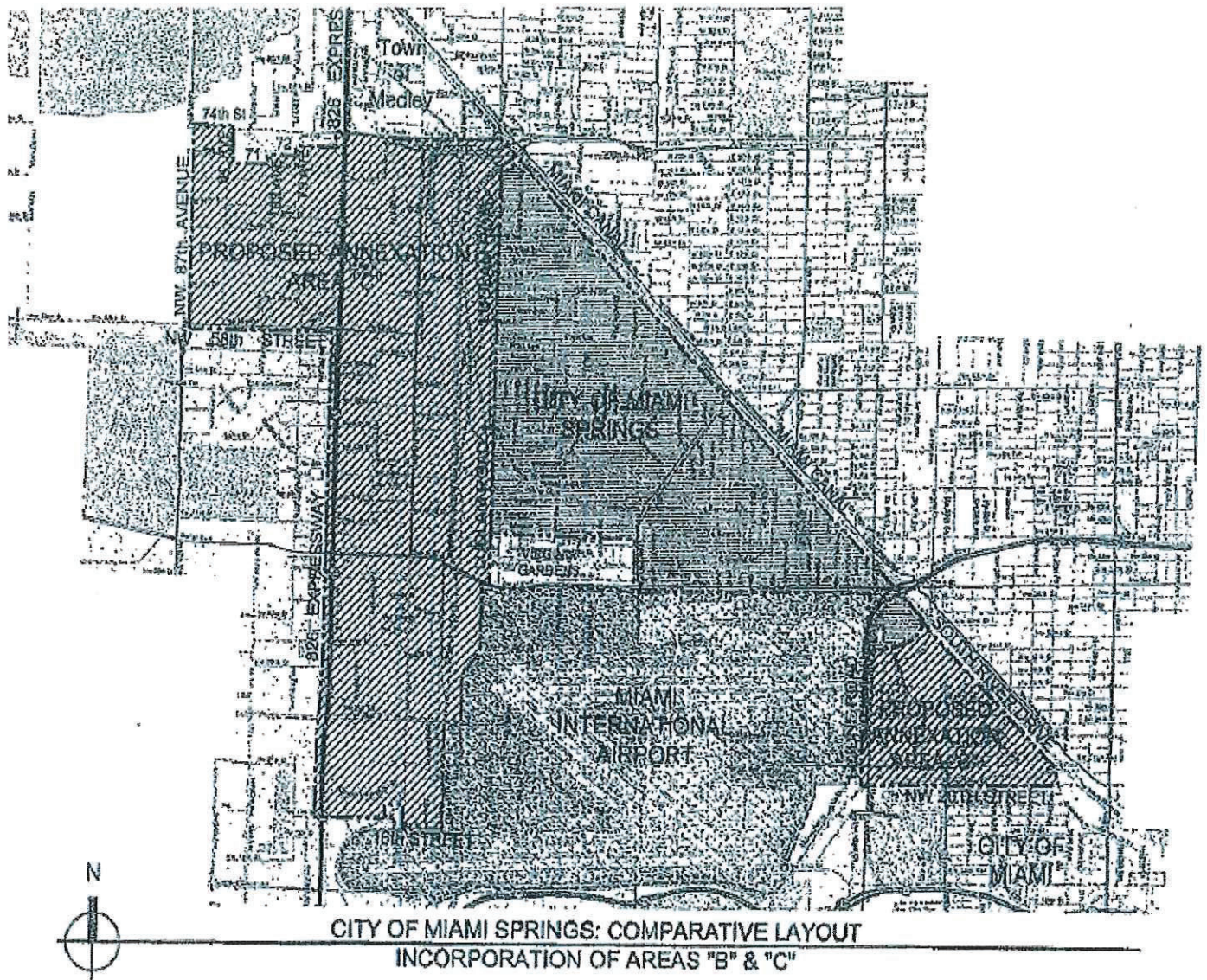
Those portions of Tracts 31 and 32 in the NW ¼ of Section 13, Township 53 South, Range 40 East, of "FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION No 1", lying Southwesterly of the centerline of the Miami Canal, and Northwesterly of the centerline of the Florida East Coast Railroad Main Line; and Sections 14, 23, and 26, Township 53 South, Range 40 East, Miami-Dade County, Florida

Together with

Portions of Section 35, Township 53 South, Range 40 East, more particularly described as follows: Beginning at the Northwest corner of said Section 35; thence run S 89 degrees 50'00" along the north line of said Section 35 for 3,956.99 feet to the Western Boundary of Miami International Airport; Thence Southerly following the Western Boundary of Miami International Airport to the point that that boundary meets with NW 16<sup>th</sup> Street / Perimeter Road (the boundary of the Miami International Airport; Thence Westerly following that Airport Boundary to the Western boundary of said Section 35, inclusive of the "AIRPORT CORPORATE CENTER"; Thence N 01 degrees 25' 45" W along the West line of said Section 35 for 2,641.91 feet to the POINT OF BEGINNING.



Exhibit B



CITY OF MIAMI SPRINGS: COMPARATIVE LAYOUT  
INCORPORATION OF AREAS "B" & "C"

**4. Public Hearing Notices (Current and Previous)**

The public hearings were held on June 12 and 26, 2017 for approval to transmit this re-initiated annexation application.

Previous public hearings were duly noticed on: November 12, 2002; July 14, 2003; March 30, 2004; and May 11, 2009 to approve the above referenced Resolution and Ordinances. On March 3, 2009 a special City Council meeting was held to re-initiate the annexation application process.



## 5. Legal Description

A portion of sections 14, 23 and 26, lying in township 53 south, range 40 east, all lying and being in Miami-Dade County, Florida, as it is more particularly described to wit;

Begin at the northeast corner of section 26, township 53 south, range 40 east; thence southerly along the east line of said section 26 to a point, said point being the intersection of the centerline of NW 36 Street (state road 948) as shown on Florida Department of Transportation right-of-way map section 87220-2506 and the east line of said section 26; thence westerly along the centerline of NW 36 Street (state road 948) as shown on Florida Department of Transportation right-of-way map section 87220-2506 to the intersection of the southerly extension of the easterly limited access right-of-way line of state road 826 (Palmetto Expressway) as shown on Florida Department of Transportation right-of-way map section 87260-2516; thence northerly along the easterly limited access right-of-way line of state road 826 (Palmetto Expressway) as shown on Florida Department of Transportation right-of-way map sections 87260-2516 and 87260-2517 to the intersection of the north line of section 23, township 53 south, range 40 east and the northerly extension of the easterly limited access right-of-way line of state road 826 (Palmetto Expressway) as shown on Florida Department of Transportation right-of-way map section 87260-2517; thence easterly along the south line of said section 23 to a point, said point being the intersection of the southerly extension of the easterly limited access right-of-way line of state road 826 (Palmetto Expressway) as shown on Florida Department of Transportation right-of-way map section 87260-2517 and the south line of said section 23, thence continue northerly along the easterly limited access right-of-way line of state road 826 (Palmetto Expressway) as shown on Florida Department of Transportation right-of-way map sections 87260-2517 and 87260-2518 to a point, said point being the southerly right-of-way line of state road 934 (Hialeah Expressway) as shown on Florida Department of Transportation right-of-way map section 87080-2515; thence easterly along the southerly right-of-way line of state road 934 (Hialeah Expressway) as shown on Florida Department of Transportation right-of-way map section 87080-2515 to a point, said point being the intersection of the centerline of NW 74 Avenue and the easterly extension on the southerly right-of-way line of state road 934 (Hialeah Expressway) as shown on Florida Department of Transportation right-of-way map section 87080-2515; thence northerly along the centerline of NW 74 Avenue to a point of intersection with the westerly extension of the southerly right-of-way line of state road 934 (Hialeah Expressway) as shown on Florida Department of Transportation right-of-way map section 87080-2515; thence continue easterly along the southerly right-of-way line of state road 934 (Hialeah Expressway) as shown on Florida Department of Transportation right-of-way map section 87080-2515 to a point, said point being the intersection of the west line of the NE  $\frac{1}{4}$  of section 14, township 53 south, range 40 east and the easterly extension of the southerly right-of-way line of state road 934 (Hialeah Expressway) as shown on Florida Department of Transportation right-of-way map section 87080-2515, thence northerly along the west line of the NE  $\frac{1}{4}$  of said section 14, also being the centerline of state road 969 (NW 72 Avenue) to a point of intersection with the easterly extension of the southerly right-of-way line of NW 74 Street as shown on Florida Department of



Transportation right-of-way map section 87080-2515, thence easterly along the southerly right-of-way line of NW 74 Street and NW 74 Street extension, said right-of-way line also being 40.00 feet south of and parallel to the north line of the NE  $\frac{1}{4}$  of section 14, township 53 south, range 40 east, to a point on the west line of the NW  $\frac{1}{4}$  of section 13, township 53 south, range 40 east; thence continue easterly along a line 40.00 feet south of and parallel to the north line of the NW  $\frac{1}{4}$  of said section 13 to a point, said point being on the easterly right-of-way line of Royal Poinciana Boulevard; thence southeasterly along the easterly right-of-way line of Royal Poinciana Boulevard to a point, said point being the intersection of the centerline of the Florida East Coast Railroad and the easterly right-of-way line of Royal Poinciana Boulevard; thence southwesterly along the centerline of the Florida East Coast Railroad, also being the northern city limits of the City of Miami Springs, to a point, said point being on a line 50.00 feet west of and parallel to the west line of section 13, township 53 south, range 40 east and the western city limits of the City of Miami Springs; thence southerly along a line 50.00 feet west of and parallel to west line of sections 13 and 24, township 53 south, range 40 east, to a point, said point being on the south line of the SE  $\frac{1}{4}$  of section 23, township 53 south, range 40 east; thence easterly along the south line of the SE  $\frac{1}{4}$  of said section 23 to the Point of Beginning.

Excluding all properties known as the FEC Tracts; and, more specifically described as Folios 05-3013-001-0430, 30-3014-001-0170, 30-3014-001-0180, 30-3014-001-0190, 30-3023-001-0100, 30-3023-001-0371, 30-3023-001-0372, 30-3023-001-0373, 30-3023-001-0374, 30-3026-000-0067, 30-3026-000-0068 and 30-3026-000-0069.

Containing 1,018 acres more or less.

6. Certificate of County Supervisor of Registration (Elections) and Planning  
and Zoning (RER) Department





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786.485.1520 fax

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May 4, 2017

Ms. Christina White, Supervisor of Elections  
Miami-Dade County Elections Department  
2700 NW 87<sup>th</sup> Avenue  
Doral, FL 33172

RE: Certificate of the Supervisor Certifying the Number of Qualified Electors  
City of Miami Springs Annexation Request – Portions of Sections 11, 12, 13, 14,  
23, 24 and 26, Township 53, Range 40

Dear Ms. White:

My client, the City of Miami Springs, is reinitiating the process to have the above referenced land annexed into the City which is located generally south of the NW 74<sup>th</sup> Street Connector, north of NW 36<sup>th</sup> Street, east of SR 826 and west of the City's current western boundary (NW 67<sup>th</sup> Avenue). This proposed annexation area comprises approximately 1,331 acres of mostly industrial and commercial land (See attached).

As referenced in Chapter 20 "Municipalities", Section 3(C), a "Certificate of the County Supervisor of Registration certifying that the area involved in the proposed boundary change contains either more than two hundred fifty (250) residents who are qualified electors, or less than two hundred fifty (250) residents who are qualified electors." is required for the application submittal.

We would appreciate your assistance in this matter and respectfully request the referenced certification letter. If you have any questions, I may be reached at (786) 514-0121.

Very truly yours,

Alex A. David, AICP

Attachment

cc: Michelle McClain, Elections  
William Alonso, City Manager, Miami Springs

FORT LAUDERDALE

MIAMI-DADE

WEST PALM BEACH

CLEARWATER/TAMPA

ESTERO

PORT ST. LUCIE



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

miamidade.gov

## CERTIFICATION

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

I, Christina White, Supervisor of Elections of Miami-Dade County, Florida, do hereby certify that the proposed City of Miami Springs Annexation, as described below, has 9 voters.

The Annexation Area is located generally south of the NW 74<sup>th</sup> Street Connector, north of NW 36<sup>th</sup> Street, east of SR 826 and west of 67<sup>th</sup> Avenue.

WITNESS MY HAND  
AND OFFICIAL SEAL,  
AT MIAMI, MIAMI-DADE  
COUNTY, FLORIDA,  
ON THIS 17<sup>th</sup> DAY OF  
MAY, 2017



Christina White  
Supervisor of Elections  
Miami-Dade County



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May 4, 2017  
REVISED June 16, 2017

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Mr. Jerry H. Bell, Asst. Director for Planning  
Miami-Dade County  
Department of Regulatory & Economic Resources  
Planning Division  
111 NW 1<sup>st</sup> Street, 12<sup>th</sup> Floor  
Miami, FL 33128

RE: Certificate of the Director Determining Percent of Residential Development  
City of Miami Springs Annexation Request – Portions of Sections 14, 23 and 26,  
Township 53, Range 40

Dear Mr. Bell:

My client, the City of Miami Springs, is reinitiating the process to have the above referenced land annexed into the City which is located generally south of the NW 74<sup>th</sup> Street Connector, north of NW 36<sup>th</sup> Street, east of SR 826 and west of the City's current western boundary (NW 67<sup>th</sup> Avenue), *but excluding the FEC Tracts*. This proposed annexation area comprises approximately 1,000 acres of mostly industrial and commercial land (See attached).

As referenced in Section 20-3 (G) and pursuant to the Miami-Dade County Code, Chapter 20 "Municipalities", Section 20-9 "Election on proposed boundary changes; required", a determination by the Director of the Department of Planning and Zoning concerning the percentage of development within the annexed area is required.

Section 20-9 states: "... If a boundary change involves the annexation or separation of an area having two hundred fifty (250) or fewer resident electors, and the area is less than fifty (50) percent developed residential, the Commission may by ordinance effect the boundary change in accordance with Section 5.04.B of the Home Rule Charter. The determination of whether an area is more or less than fifty (50) percent developed residential shall be made in the sole discretion of the Director of the Department of Planning and Zoning."

We would appreciate your assistance in this matter and respectfully request the referenced certification letter. If you have any questions, I may be reached at (786) 514-0121.

Very truly yours,

Alex A. David, AICP

Attachment

cc: Manual Armada, RER  
William Alonso, City Manager, Miami Springs

FORT LAUDERDALE

MIAMI-DADE

WEST PALM BEACH

CLEARWATER/TAMPA

ESTERO

PORT ST. LUCIE



**City of Miami Springs Proposed Annexation Area**  
**Portions of Sections 13, 14, 23, 24 and 26, Township 53, Range 40**  
**2017 Existing Land Use**

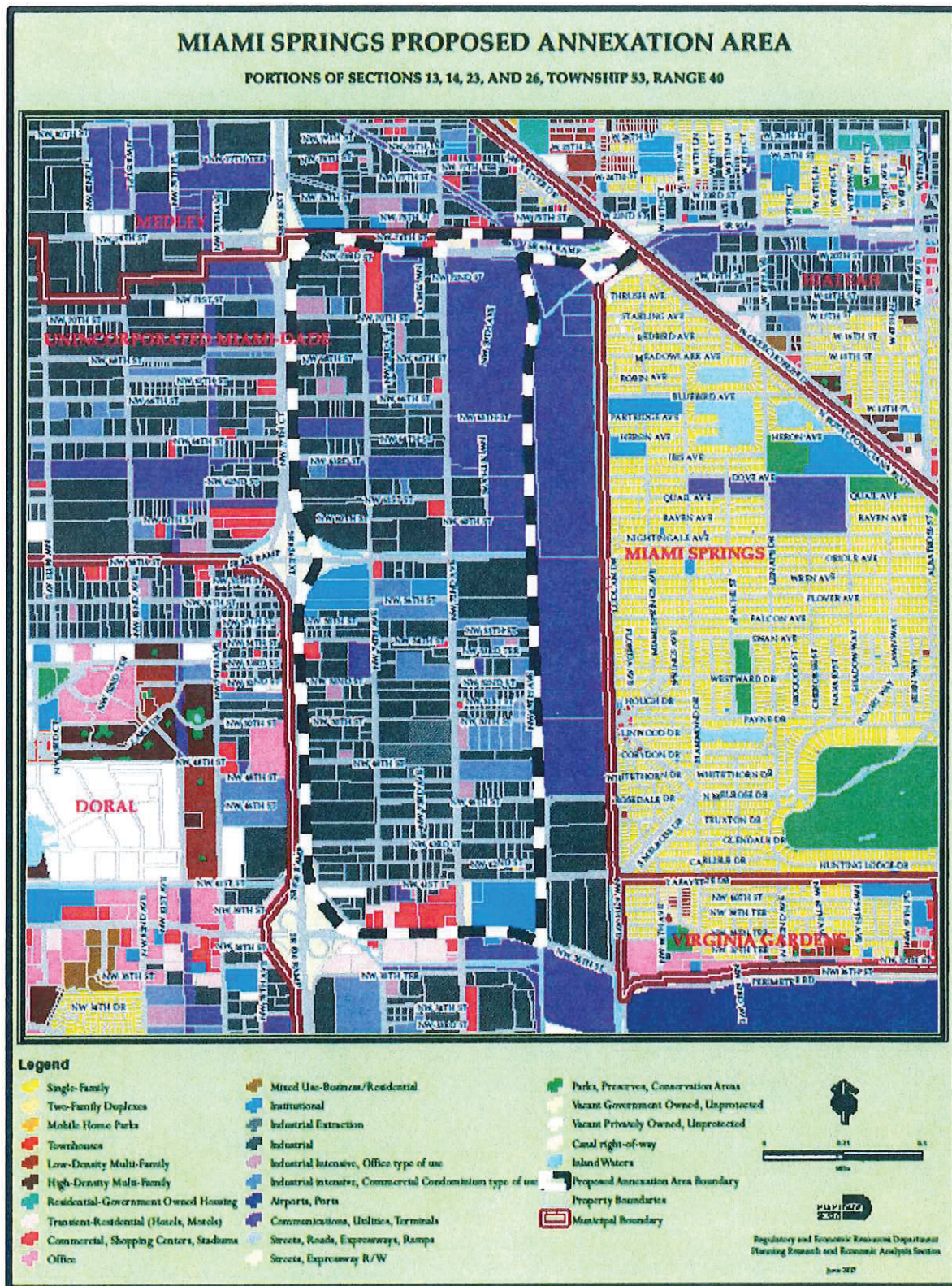
<b>Land Use</b>	<b>Annexation Area (Acres)</b>	<b>Annexation Area (Percent of Total)</b>	<b>City of Miami Springs (Area Acres)</b>	<b>City of Miami Springs (Percent of Total)</b>	<b>Miami-Dade County (Acres)</b>	<b>Miami-Dade County (Percent of Total)</b>
Residential	0.3	0.0	864.3	45.0	112,596.0	8.9
Commercial, Office, and Transient Residential *	33.7	3.3	100.3	5.2	14,245.8	1.1
Industrial	573.1	56.3	2.6	0.1	19,462.0	1.5
Institutional	40.7	4.0	90.2	4.7	15,482.2	1.2
Parks/Recreation	0.0	0.0	220.6	11.5	834,283.3	65.9
Transportation, Communication, Utilities	345.7	34.0	560.7	29.2	87,413.2	6.9
Agriculture	0.0	0.0	0.0	0.0	63,012.0	5.0
Undeveloped	8.2	0.8	6.6	0.3	82,024.3	6.5
Inland Waters	16.0	1.6	74.8	3.9	37,795.4	3.0
<b>Total:</b>	<b>1,017.7</b>	<b>100.0</b>	<b>1,920.0</b>	<b>100.0</b>	<b>1,266,314.2</b>	<b>100.0</b>

\* Transient Residential includes Hotels and Motels

Source: Miami-Dade County Department of Regulatory and Economic Resources, Planning Research & Economic Analysis Section May, 2017



## Existing Land Use Map





**7. Statement of Reason for Boundary Changes**

The proposed annexation area as shown abuts the City at its current western municipal limit. Annexing the approximately 1.59 square mile (1,018 acres) area will also insure that the high quality of life for businesses and visitors will remain through continued proper planning and development practices. It is a fact that the existing and proposed development within the annexation area will complement the City and strengthen the long term viability of Miami Springs.

As stated in the previous paragraph, proper planning and development practices and compatibility are extremely important to the City of Miami Springs. This is evidenced through the City's long history, moderate planned growth and maintaining what makes Miami Springs unique. Through more localized planning, review and enforcement of regulations the needs of this very important employment and economic center will be fully realized.

Finally, the City is fiscally sound. This will only be enhanced through the annexation of the proposed lands by providing an industrial/commercial component to the tax base. Also, property owners within the proposed annexation area **will benefit from more localized government.**



**8. Notice of Intent to Annex**

Proof of compliance with this section shall be required. (See Attachment "A" – CD of CERTIFIED LIST OF PROPERTY OWNERS)

## 9. Land Use Plan and Zoning

The land use and zoning categories consist mostly of industrial and office, as shown on the Miami-Dade County Comprehensive Development Master Plan Future Land Use Plan Map and the corresponding Zoning Map.

According to the Inventory of Existing Land Uses provided by Miami-Dade County Department of RER, Planning Division the Annexation Area is approximately 1.59 square miles (1,018 acres) in size. The following table details the major land use categories by number of acres and percentage of total. A map of the existing land uses can be found under Section 6.

Table 1.  
Inventory of Existing Land Uses

Land Use	Number of Acres	Percent of Total
Residential	0.3	0.0
Commercial, Office and Transient Residential*	33.7	3.3
Industrial	573.1	56.3
Institutional	40.7	4.0
Parks/Recreation	0.0	0.0
Transportation, Communication, Utilities	345.7	34.0
Agriculture	0.0	0.0
Undeveloped	8.2	0.8
Inland Water	16.0	1.6
TOTAL	1,018	100.0

\* Transient Residential includes Hotels and Motels

Source: Miami-Dade County Department of Planning and Zoning, Research Section  
June, 2017

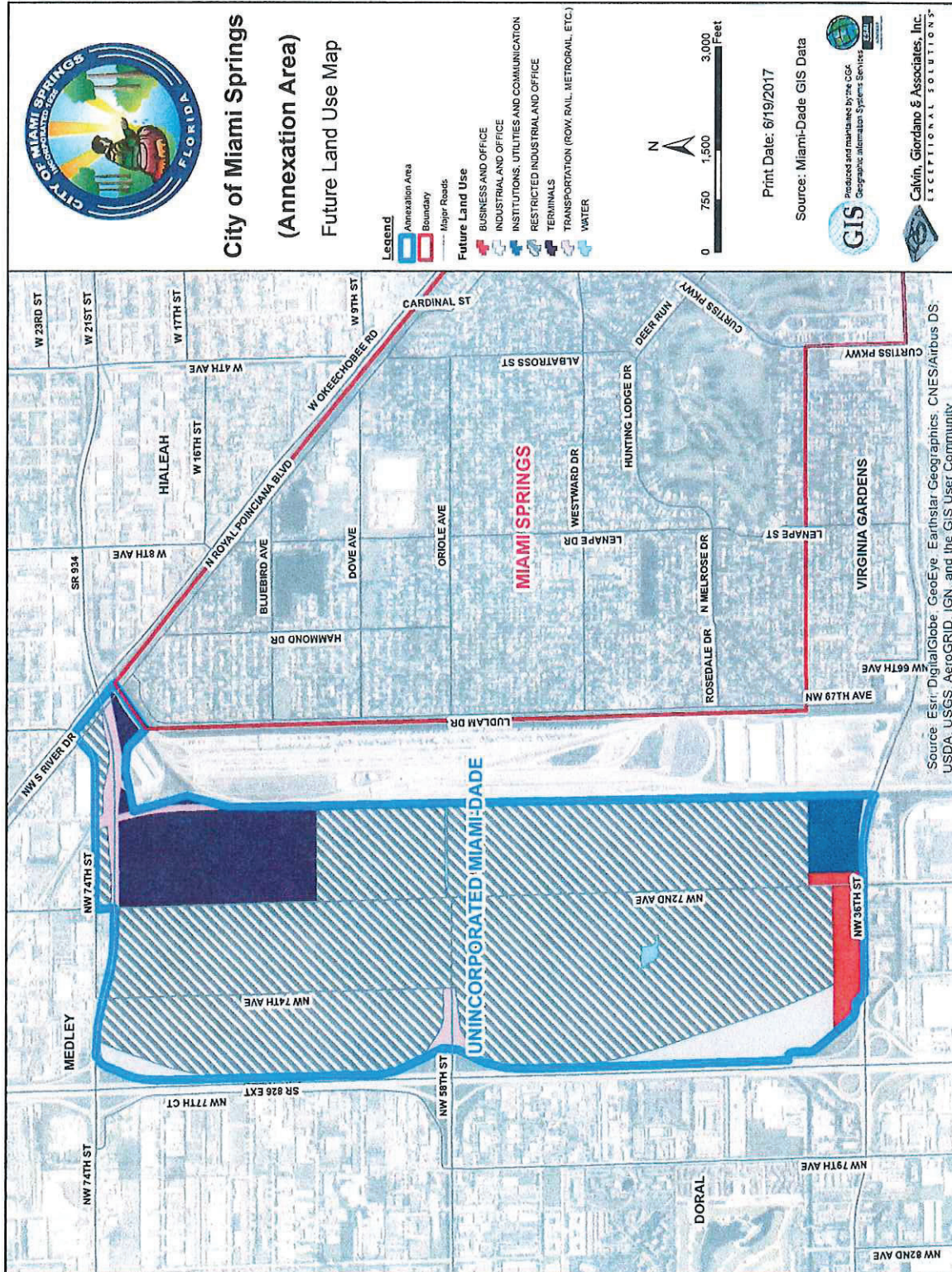
Future Land Use Map and Categories for Annexation Area

Portions of Sections 14, 23 and 26, Township 53, Range 40 are designated Industrial and Office, Business and Office, Institutions Utilities and Communications, Transportation and Terminals on the Miami-Dade County Future Land Use Plan Map. Upon annexation, the City will amend its Comprehensive Plan to incorporate the applicable land use categories as necessary.

Please see the Miami-Dade County CDMP Future Land Use Plan Map for more detailed Land Use category locations. Please see the Miami-Dade County CDMP Future Land Use Element for category descriptions.



Miami-Dade County Future Land Use Map – 2017



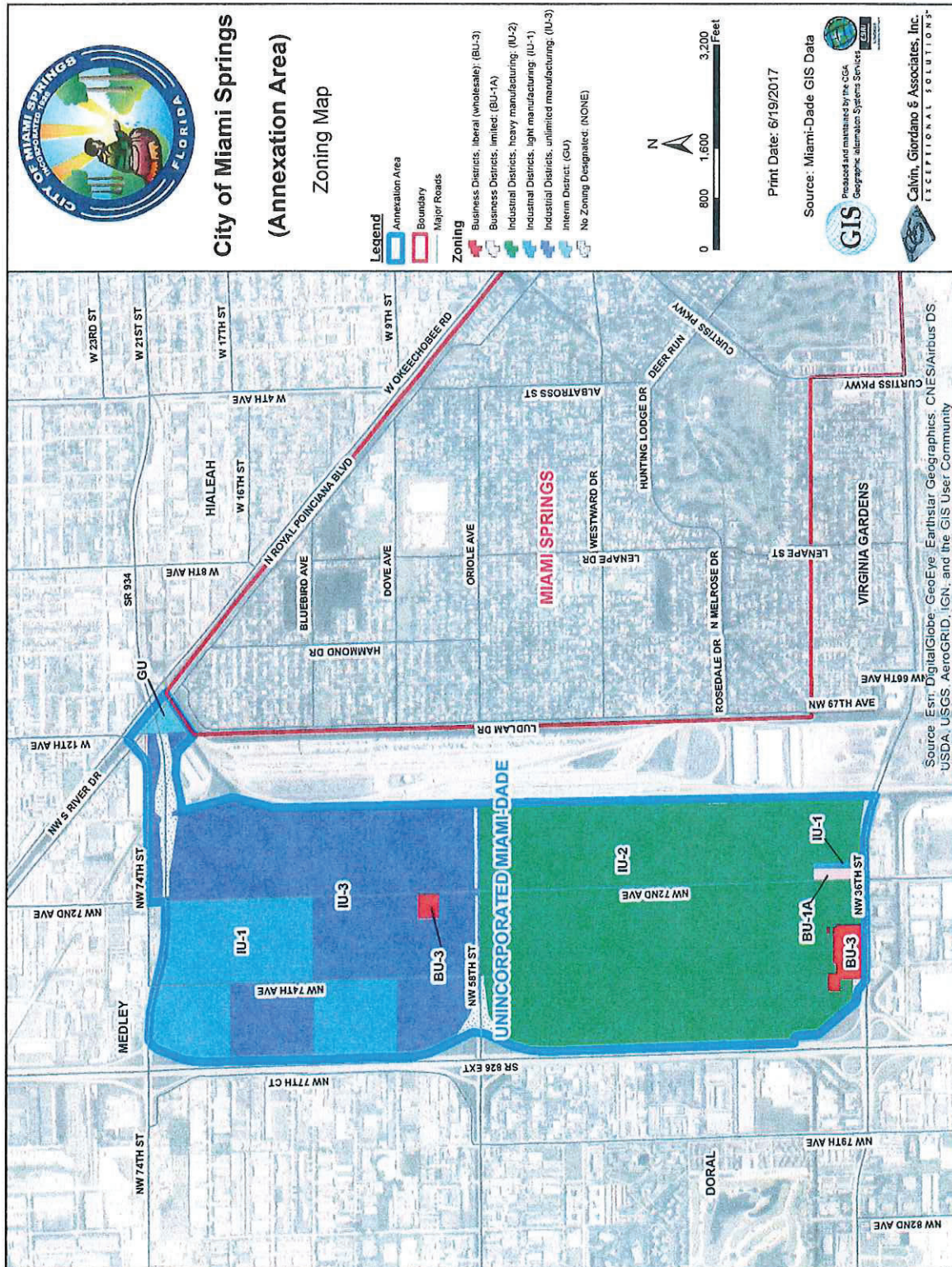
Zoning

The Annexation Area consists of lands zoned mostly Industrial with a small portion being Liberal Business as shown on the Miami-Dade County Zoning Map. Upon annexation, the City will rezone those properties to the City's closest equivalent or amend its Land Development Regulations to incorporate new districts.

The annexation area is generally zoned: IU-1 – Industrial, Light Manufacturing; IU-2 – Industrial, Heavy Manufacturing; IU-3 – Industrial, Unlimited Manufacturing District; BU-3 – Liberal Business District; and GU – Interim District.

Please see the Zoning Map for more detailed zoning district location information. Please reference the relevant Zoning District descriptions obtained from the Miami-Dade County Zoning Code.







City of Miami Springs Equivalent Zoning Districts

Note: The equivalent zoning districts are listed below and will be amended as necessary to incorporate new uses. Additional zoning districts will be created for additional uses not already included in the City Zoning Code (Chapter 150) such as industrial uses.

**ARTICLE VII. BUSINESS DISTRICT**

Sec. 150-070. CBD, central business district.

Sec. 150-071. NBD neighborhood business district.

Sec. 150-072. B-3 arterial business district.

**ARTICLE VIII. OFFICE DISTRICT**

Sec. 150-080. O-1 professional office district.

**ARTICLE XIV. MIXED USE DISTRICT**

## 10. Terminals

Pursuant to Chapter 20-3 sub-section (F) (6) *Identification of any areas designated as terminals in the County's Adopted Land Use Plan Map ("terminals")* the following responses are being provided.

a. The reason that any area designated terminals and areas located within one-half (1/2) mile surrounding any area designated terminals ("surrounding areas") should be annexed to the municipality;

The proposed annexation area currently constitutes an "enclave" area which would be better served by local regulation and control.

If annexed, the area will assist in providing for the future fiscal strength of the City by increasing its tax base and allowing for significant job creation opportunities. Through more localized planning, review and enforcement of regulations, the needs of this crucial employment and economic center will be fully realized.

The City of Miami Springs has a reputation as a successful and unique community and further wishes to attain its goal of growing and continually improving the quality of life for its residential and business community. The Annexation Area would greatly assist the City in reaching its goal by:

- Improving services and infrastructure in the annexation area;
- Having a local government that is aware of and concerned with the business community's development and the quality of life for local residents and businesses;
- Instilling pride and participation in the area;
- Improving and locally standardizing codes and regulations governing the area; and
- Providing for a local government that is accountable for how taxes are spent and a forum for debate on local taxes, regulation and other control issues.

b. The impact that annexation may have on the operation and future development of facilities within any area designated terminals and surrounding areas;

It is the intent of the City to consider the terms and conditions contained within the Terminal Ordinance with respect to planning and zoning regulation and enter into a mutually acceptable Interlocal Agreement with Miami-Dade County. Both the City's Comprehensive Plan and Zoning Districts will be amended to incorporate any new land use categories as deemed necessary. It is, however, anticipated that in the future this area's continued use as a "terminal" may be lifted as portions of the FEC have been developed with warehouses.

c. The municipality's assessment of the present and future importance to the economy, job generation, and future development of the County and the region of any area designated terminals and surrounding areas proposed to be included in the area annexed;

The proposed annexation area is at the nexus of the "Airport West" area and the Hialeah employment centers which are and will continue to be part of the MIA area economic engine that is one of the largest concentrations of employment in Miami-Dade County, if not the State of Florida. Through increased local government focus on this area, significant increases in job opportunities may be created. Through the elimination of this County "enclave", the City would be in a better position to evaluate and expand the opportunities in the area going forward.

d. Whether the land uses within areas designated terminals and surrounding areas are compatible with adjacent land uses within the annexing municipality; and

So long as the present land uses and zoning of industrial/commercial or commercial/business are maintained in the area, the City believes the uses are compatible and would not impact the municipality due to the physical relationship of the proposed annexation area to the City of Miami Springs.

e. A proposed Interlocal Agreement with the County which would include provisions agreeing to the County's retention of master plan and regulatory control over any area designated terminals and surrounding areas, which shall set forth with specificity the limitations and conditions to be imposed on the municipality's jurisdiction of the area proposed for annexation.

Although the Terminal Ordinance provides certain obstacles with respect to planning and zoning matters, if the area is approved for annexation the City of Miami Springs and Miami-Dade County would begin the process of negotiating an Interlocal Agreement setting forth appropriate and mutually agreeable limitations and conditions to be imposed. It is, however, hoped that the "terminal" use will be abandoned in the future, but that in advance of that occurrence, the parties would find a mutually agreeable basis for the regulation and control of the area.



**11. List of Services to be Provided****a. Police**

The Miami Springs Police Department comprises 43 sworn personnel for the current 2017/2018 budget year. With a \$6,009,541 current year budget the Police Department is prepared to absorb any additional required police services by adding personnel, as necessary.

Upon completion of the annexation process and municipal boundary change the City would provide immediate coverage to the area without degradation of police service. If the annexation is successful an increase of sworn officers would be contemplated for FY2018/2019.

**b. Fire Protection**

Fire Protection is provided by Miami-Dade County fire services for the City of Miami Springs residents. Primary Fire Rescue service for the **proposed annexation area** will be provided by Fire Battalion 11 and Battalion 12, as referenced below. The following station territories lie within the proposed annexation area.

**Battalion 11**

Station	Address	Unit
Virginia Gardens 17	7050 NW 36 St	Aerial
Medley 46	10200 NW 116 Way	Technical Response Team
Miami Springs 35	201 Westward Dr	Rescue, Engine
Hialeah Gardens 28	10350 NW 87 Ave	Rescue

**Battalion 12**

Station	Address	Unit
Doral 45	9710 NW 58 St	Medic Engine
Fontainebleau 48	8825 NW 18 Terr	Rescue
Future Station 69	NW 112 <sup>th</sup> Avenue and NW 74 <sup>th</sup> Street	

A Battalion, is defined as a fire department organizational unit comprised of multiple units under the command of a Chief Fire Officer. The annexed area will be served by Battalion 11, which is

comprised of Virginia Gardens Station 17, Medley Station 46, Miami Springs Station 35, and Hialeah Gardens Station 28, new Station 69 and others. Battalion 12 will also serve the area. Battalion 12 is comprised of Doral Station 45, Fontainebleau Station 48, and other stations. Although these units primarily serve their own communities (Miami Springs, Medley, Hialeah Gardens) they come together in response to any major incident in the area. They also provide support services when primary response units are on other service calls. To develop proficiency and unit coordination, the Battalion units regularly drill together.

Battalion 11 is also part of Miami Dade Fire Rescue's Special Operations Division. In addition to their normal firefighting, dive rescue and emergency medical activities, Stations 17, 28, 46, and 48 have some very special capabilities.

Station 46 serves as part of the urban search and rescue (USAR-1) and the Technical Rescue Team (TRT Units). Members of these units are trained in vehicle extraction, confined space rescue, trench rescue and elevated victim rescue. Station 17 is equipped with aerial apparatus units that are especially suited for taller buildings. Stations 28 and 48 comprise the core of the County's Hazardous Materials Response Team, Rescue and USAR-1 rescue support services.

Miami-Dade Fire Rescue Department provides fire and rescue service to the annexation area. There will be no change in this service if annexation occurs. There is no cost to the City of Miami Springs for this service. All costs are directed to the property owners in the annexed area.

c. Water Supply and Distribution

The Miami-Dade County Water and Sewer Department currently services the Annexation Area through its water supply and distribution system and will continue to do so. Also, MDWASD has the capacity to handle any future development in this area.

d. Facilities for Collection and Treatment of Sewage

The Miami-Dade County Water and Sewer Department currently services the Annexation Area through its collection and treatment system and will continue to do so. Also, MDWASD has the capacity to handle any future development in this area.

e. Garbage and Refuse Collection and Disposal

The County's Department of Solid Waste Management will continue to serve existing customers but typically, commercial and industrial areas will be required to contract for refuse removal services utilizing the County's landfills.

f. Street Lighting

Florida Power and Light provides electricity and lighting to the Annexation Area and will continue to do so.

g. Street Construction and Maintenance



The State of Florida will be responsible for the maintenance of State roads while Miami-Dade County will be responsible for County roads. The remaining local municipal streets will become City roads.

h. Park and Recreation Facilities and Services

No new park and recreation facilities will be needed to serve the existing and future industrial land uses in the annexation areas.

i. Building Inspection

The City is responsible for all building inspections through the Building Official. If the annexation proposal is approved, additional personnel will be hired, as necessary, to accommodate the larger volume of activity.

j. Zoning Administration

The City is responsible for all zoning related matters. If the annexation proposal is approved, additional personnel will be hired, as necessary, to accommodate the larger volume of activity.

k. Local Planning Services

The City is responsible for all planning related matters. If the annexation proposal is approved, additional personnel will be hired, as necessary, to accommodate the larger volume of activity.

l. Special Services Not Listed Above

None

m. General Government

The City has a Mayor-Council-Manager form of government. The Mayor and four Council members (Members of the Council) are vested with all legislative powers as set forth in the municipal charter of the City. The Council's powers include establishing public policy and law. The City Manager is responsible for the day to day administration of the City.



**12. Timetable for Supplying Services****a. Police**

Immediate/No Change.

**b. Fire Protection**

Immediate/No Change. Miami-Dade Fire Rescue will continue to provide services in perpetuity.

**c. Water Supply and Distribution**

Immediate/No Change. Miami-Dade County Water and Sewer Department will continue to supply potable water through its water supply and distribution system.

**d. Facilities for Collection and Treatment of Sewage**

Immediate/No Change. Miami-Dade County Water and Sewer Department will continue to service the Annexation Area through its wastewater collection and treatment system.

**e. Garbage and Refuse Collection and Disposal**

Immediate/No Change. The Annexation Area will continue to be part of the Solid Waste and Collection System.

**f. Street Lighting**

Immediate/No Change. Any new lighting will be paid for through Special Taxing Districts or funded by FPL through user fees.

**g. Street Construction and Maintenance**

Immediate/No change. The County shall maintain responsibility for section line roadways while the City will maintain roadways designated municipal streets.

**h. Park and Recreation Facilities and Services**

Immediate/No Change No new recreational facilities will be needed to service the Annexation Area due to the lack of residential areas.

**i. Building Inspection**

Immediate/No Change.

**j. Zoning Administration**

Immediate/No Change.

**k. Local Planning Services**

Immediate/No Change.

**l. Special Services Not Listed Above**

Immediate/No Change.

m. General Government

Immediate/No Change After the annexation process is completed the City will be responsible for all general government services.

**13. Financing of Services****a. Police**

The City will fund this service through its General Fund via tax collections.

**b. Fire Protection**

Fire and Rescue services will continue to be provided by Miami-Dade County Fire Rescue Department. Services are financed through the Fire Rescue Special Taxing District.

**c. Water Supply and Distribution**

Water supply and distribution services will continue to be provided by MDWASD. Costs associated with new development (water main extensions and connections) will be paid by the developers. Residential and commercial water usage charges will provide the revenues for the continued operation and maintenance of the water supply and distribution system.

**d. Facilities for Collection and Treatment of Sewage**

Wastewater treatment and collection services will continue to be provided by MDWASD. Costs associated with new development (wastewater main extensions and connections) will be paid by the developers. Residential and commercial sewer usage charges will provide the revenues for the continued operation and maintenance of the wastewater treatment and collection system.

**e. Garbage and Refuse Collection and Disposal**

The County's Department of Solid Waste Management will continue to serve existing customers but typically commercial and industrial areas will be required to contract for refuse removal services utilizing County landfills. Services provided by the County are financed through tax collections.

**f. Street Lighting**

Street lighting is financed through FP&L or Special Taxing Districts created by new development.

**g. Street Construction and Maintenance**

The costs of new street construction will be funded by the associated new development. Maintenance will be funded through the City's General Fund.

**h. Park and Recreation Facilities and Services**

The operation and maintenance of these facilities will be funded through the General Fund. As stated previously, no new parks are required to service the Annexation Area.

**i. Building Inspection**

Building Inspections are financed through user fees.

**j. Zoning Administration**

Zoning Administration services are financed through user fees.



k. Local Planning Services

Local Planning Services are financed through user fees.

l. Special Services Not Listed Above

None

m. General Government

General Government Services are provided and funded through tax collections.

**14. Tax Load on Annexation Area**

Gross Revenue is based on the **2016** Taxable Property Rolls and other revenues. The Cost of Providing Services (Expenditures) is based on expected costs the City believes it will incur. Since the proposed annexation area is undergoing development Revenues and Expenditures will be constantly changing as new properties are added to the tax rolls and more services are required.

The City of Miami Springs Budget (FY 16-17) process has been completed and maintains a millage rate of 7.500. The current Miami-Dade County millage rate is 1.9283.

Property Tax Revenue is determined by the following formula:

$$\text{Revenue} = \text{Taxable Property} \times \text{Millage} \times .95/1000$$

	2016 Taxable Property	Property Tax Revenue	Cost of Providing Services	Net Budget Gain/Loss
Annexation Area	\$767,926,662	\$5,471,477*	\$2,012,900	<b>\$3,458,577</b>

**\* Based on City of Miami Springs millage rate of 7.5000**

**15. Certificate of Director of Planning & Zoning**

See **Section 6** above.



**16. Petition with Clerk of County Commission**

See **Section 6** above.

END

**Attachment "A"**

CD of CERTIFIED LIST OF PROPERTY OWNERS