Memorandum

MIAMI-DADE COUNTY

Date: October 27, 2015

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Subject: Report on Incorporation and Annexation in Miami-Dade County

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On November 5, 2014, the Board of County Commissioners (Board) adopted Resolution No. R-972-14, entering into an agreement with PMG Associates, Inc. (PMG) to provide the Board with incorporation and annexation recommendations within the Unincorporated Municipal Service Area (UMSA).

Attached is the Final Report submitted by PMG Associates, Inc. This study is the culmination of a lengthy process which engaged relevant stakeholders including municipal representatives, residents, and County staff. The Final Report addresses the contract's scope of work and provides a significant volume of information and certain recommendations.

The issues surrounding incorporation and annexation are among the most difficult in public policy analysis; while much information is provided here, many unanswered questions remain. The recommendations in this report have significant implications for UMSA and the whole of our County and will require thorough and thoughtful discussion. Ultimately it is the electorate of this community that will have the final say through the democratic process.

Please do not hesitate to contact me or Jack Osterholt, Deputy Mayor/Director, Department of Regulatory and Economic Resources, at 305-375-5695, should you have any questions.

Attachment

c: Abigail Price Williams, County Attorney
Office of the Mayor Senior Staff
Department Directors
Christopher Agrippa, Clerk of the Board
Charles Anderson, Commission Auditor

Miami-Dade County

Analysis of Incorporation and Annexation Within the Unincorporated Areas

October 2015

PMG Associates, Inc.
3880 NW 2nd Court
Deerfield Beach, Florida 33442
(954) 427-5010

Miami-Dade County

Analysis of Incorporation and Annexation Within the Unincorporated Areas

October 2015

Miami Dade County entered into a contract on December 8, 2014 with PMG Associates, Inc. of Deerfield Beach, Florida to complete an "Analysis of Incorporation and Annexation within the Unincorporated Areas" of the County (Resolution Number R 1006-13).

Prime Contractor:

PMG Associates, Inc.

Subcontractors:

Billing, Cochran, Lyles, Mauro & Ramsey, P.A.
PLACE Planning and Design, Inc.
Thompson and Associates, Inc.
Florida Technical Consultants, LLC

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EXECUTIVE SUMMARY

The consideration of incorporation and annexation in Miami-Dade County must begin with a discussion at the County Commission level of the role of the Board of County Commissioners (Board). The determination of this issue will influence the outcome of other aspects of addressing the unincorporated area of the County.

The Board must then make a series of policy decisions regarding specific issues as related to the County Code and certain operating procedures. Any recommendation accepted by the Board will incur a Code or Policy change.

The recommendations included in this analysis are:

1. Establish a Regional focus of the County
2. Permit full incorporation of the unincorporated area inside the UDB if determined to be feasible (via annexation or incorporation)
3. Establish a new definition and system for addressing Regional Assets
4. Prohibit Incorporation or Annexation outside of the UDB
5. Protect Transit Nodes, Urban Centers, Wellfields and Environmentally Sensitive Areas through affirmative statements in the annexation application and in the new municipality's charter
6. Permit expanded input from businesses
7. Establish a minimum size of new municipalities
8. Address CRA operation if incorporation or annexation occurs with either continued County operation (with approval of the municipality) or transfer of the assets to the new municipality
9. Provide budget assistance to MACs at an earlier stage
10. Prohibit small area annexation (Cherry picking)
11. Eliminate Enclaves

All of these recommendations are examined in the following report

Legalities of Incorporation/Annexation

The current Miami-Dade County Charter requires a referendum for (i) incorporation; and (ii) annexation of any area which includes more than 250 residents who are registered electors. Pursuant to combined provisions of the Charter and the Miami-Dade County Code, where there are 250 residents who are registered electors or less, and the area is less than 50% developed residential, no referendum is required. Otherwise, a referendum is required. Based on these provisions, the completion of the incorporation of the entirety of the unincorporated area will require multiple referenda. Based on feedback from the public, it is likely that not all referenda will pass. Of particular significance are the enclaves that exist throughout the County. Many of the residents of these areas have expressed their desire not to be annexed into any municipality. The only mechanism to compel these residents to join municipalities is through a mandate from the Board of County Commissioners. At present, the Board does not have this authority under the County Charter. (County Charter Section 6.04(B), Changes in Municipal Boundaries)

Questions have been posed throughout this analysis of how neighboring counties were able to compel unincorporated areas to join adjacent municipalities. In the case of Broward County, the issue was decided by an act of the Florida Legislature. Without this legislation, the requirement to compel the inclusion of unincorporated areas into a municipality would not have existed.

The general state statute providing for alternative methods of annexation is expressly not applicable within Miami-Dade County. All annexations within Miami-Dade County are governed by the Charter.

One option for the County is to have this issue of the County Commission compelling an area to either incorporate or annex debated and addressed at the next Charter Review Committee, when it is empaneled in the future. Since this issue is of such importance to the County as a whole, the issue should be examined.

Fiscal Impact on the County

Two scenarios were examined to determine the fiscal impact on UMSA and the overall County Budget. In one scenario only a small portion of the unincorporated area was annexed or incorporated (10%, measured by Taxable Value). This scenario was selected since it generally equates to one-half of the current annexation applications and incorporation initiatives. The other scenario includes full incorporation of UMSA (inside the UDB). These scenarios were used for comparative purposes to evaluate the fiscal impact.

10% Alternative:

- Approximately one-half would be annexations and the remainder incorporations
- Net loss of revenue of approximately $35 million (10% of total less Franchise Fees and Utility Taxes from annexed areas)
- Decrease in non-reimbursed expenditures of $31.4 million (Police, RER and local Parks)
- Net reduction in Financial Position of $3.6 million
- Funding to be recouped by increase in UMSA rate of .11 mills, or 5.7%

100% Alternative (inside the UDB)

- Most of the area would be incorporations
- UMSA Budget items transferred to Countywide General Fund (Administration, Internal Services and Support Services for departments other than Police) $87.5 million
- Retention of Franchise Fees and Utility Taxes for annexed areas $9.2 million
- Net cost transferred to Countywide General Fund $78.3 million
- Funding to be recouped by increase in County-wide millage rate of .372 mills, or 8.0%

Fiscal Feasibility

One of the most significant questions in this process is the analysis of the fiscal feasibility of the entire Incorporation/Annexation Plan. If the County decides to pursue full incorporation of the UMSA area, the process would require a significant period of time to accomplish. The financial implications would also vary during this process.

The Study prepared an analysis of the fiscal impacts for a small amount of Incorporations and Annexations (roughly equivalent to the current initiatives that are likely to be approved) and the full incorporation as expressed in the origination of this study. The fiscal impacts vary significantly based on the final scenario.

Under the limited incorporation and/or annexation scenario, the fiscal impact is minimal. The revenue lost to the County would generally be offset with a reduction in expenditures. If any increase in the UMSA Tax Rate is required, the amount would be minor (.11 mills) and not impact the operation of UMSA significantly.

Under the scenario where full incorporation is achieved, UMSA will evidence significant changes. We cannot anticipate the UMSA will completely disappear since the area outside of the UDB must continue to be served. UMSA, or a similar entity, must be in place. The loss of the unincorporated area inside of the UDB will not result in a complete elimination of the budgetary pressures. Some of the functions must continue (even if at a lowered level of service) and these expenditures may be transferred to the County-wide General Fund. That decrease in revenue will not be matched by a decrease in expenditures generating a millage rate increase of approximately 8%.

Based on the facts outlined above, the conclusion is reached that a small amount of incorporation or annexation (approximately 10% of the current unincorporated area) is fiscally feasible. Full scale incorporation is marginally feasible since a county-wide tax increase of 8% results.

As previously noted, at some point, the UMSA Budget would be eliminated and the Revenue and Expenditures will be absorbed by the County-wide General Fund. The time frame for this shift is not known, at this time. However, for this analysis, it is assumed that the County-wide General Fund will not absorb all of the fiscal impacts until the County inside the UDB is 100% incorporated. The purpose of this assumption is that it is not equitable to require taxpayers living in a municipality to subsidize the taxpayers living in the unincorporated area.

TABLE ES-1
CUMULATIVE FISCAL IMPACTS OF INCORPORATION/ANNEXATION ON COUNTY

Percentage of UMSA Incorporated or Annexed	Reduction in County Financial Position	UMSA Rate Increase mills	Parentage of Increase
10%	$ 3.6 million	0.110	5.7%
20%	$11.9 million	0.364	18.8%
30%	$20.2 million	0.617	32.0%
40%	$28.5 million	0.871	45.1%
50%	$36.8 million	1.124	58.3%
60%	$45.1 million	1.378	71.4%
70%	$53.4 million	1.632	85.6%
80%	$61.7 million	1.885	97.7%
90%	$70.0 million	2.139	110.8%
Percentage of UMSA Incorporated or Annexed	**Reduction in County Financial Position**	**County-wide Rate Increase mills**	**Parentage of Increase**
100%	$78.3 million	0.372	8%

Source: PMG Associates, June 2015

Elimination of UMSA

The option of full incorporation of the County has the underlying implication that UMSA will no longer be in existence. The reality is that it is not possible to annex the entirety of the UMSA area. One of the key recommendations of this report is that there will be no incorporations or annexations outside of the UDB. This recommendation is based on the fact that much of the area outside of the UDB is not reasonably suitable for incorporation or annexation. If the area inside of the UDB becomes fully incorporated, the unincorporated area operation will be significantly reduced, but still remain. Due to these conditions, the County Commission must continue to provide municipal governance for this area. If the UDB boundary is extended in the future, the newly added developable area should be annexed into the adjacent municipality.

The analysis in this report shows that as the amount of incorporation increases, the fiscal pressure on UMSA becomes significant, causing an increase in the millage rate. At some level (possibly 30%), incorporation or annexation becomes more attractive to the residents of the UMSA area. The exact level where the UMSA resident desires incorporation or annexation is based on their own personal opinions.

SUMMARY OF THE IMPLEMENTATION OF RECOMMENDATIONS

Each of the recommendations found in this report will be listed along with the section of the County Code that must be amended to implement these recommendations.

1. **Regional focus of the County – Adopt a resolution, no Code changes.**
2. **Full incorporation of the unincorporated area inside the UDB, if determined to be feasible (via annexation or incorporation) - Adopt a resolution that includes a policy to encourage incorporations or annexations, no Code changes.**
3. **Regional Assets – Change sections 20-8.6 and 20-28 to reflect the three tier system and revise or replace the list of Areas or Facilities of Countywide Significance.**
4. **Amend the Code addressing Areas and Facilities of Countywide Significance to adopt the three tier system**
5. **Prohibit Incorporation or Annexation outside of the UDB – Add Section 20-3.2 to prohibit annexation outside of the UDB; Amend Section 20-20 to prohibit incorporation outside of the UDB.**
6. **Protect Transit Nodes, Urban Centers, Amend Section 20-3 to include a new item that requires an affirmative statement from the annexing municipality that they will follow the County minimum standards on these issues; Amend Section 20-26 to include the acceptance of these protections in their municipal charter.**
7. **Protect Wellfields and Environmentally Sensitive Areas – Amend Section 20-26 to include a new item that requires an affirmative statement from the annexing municipality that they will follow the County regulations on these issues; Amend Section 20-20 to include the acceptance of these protections in their municipal charter.**
8. **Amend the Code to require the annexing municipality to obtain consent of 50% of the commercial property owners (by property area) in an annexation application where there is less than 250 electors. This consent must be submitted as part of the annexation application.**
9. **Minimum size of new municipalities – Amend Section 20-20 to prohibit the incorporation of a municipality with a population under 15,000.**
10. **CRA operation – Adopt an ordinance that addresses the existence of County established CRAs to allow transfer to the new municipality or to retain County operation**
11. **Assistance to MACs – Adopt a policy that staff and consultants provide more guidance to the MACs in establishing their budgets.**
12. **Give preference to the MACs if any land is in conflict between their jurisdiction and any annexation application**
13. **Insure that low-income areas are addressed through**
    a. **Require an annexing municipality to offset the annexation of a high-income area with the annexation of a low-income area, if possible**
    b. **Any MAC established cannot exclude any low-income area that is adjacent to its boundaries**
    c. **No enclaves can be permitted with incorporation or annexation, particularly where the area is a low-income community**

14. **Prohibit small area annexation (Cherry picking) – Adopt a policy that prohibits the small area annexations, except where boundaries are squared off. Encourage annexation of complete neighborhoods.**
15. **Eliminate Enclaves – Adopt a policy to eliminate the existing enclaves and prohibit the establishment of new ones. Use the power under the Charter to compel the annexations of enclaves.**
16. **Do not allow for irregular boundaries in any incorporation or annexation application. (see definition of irregular boundaries on page 7-6)**
17. **Implement the existing Codified responsibilities of the Community Councils and provide funding to enable the organizations to conduct daily functioning and relieve the time constraints on the County Commission**

SECTION 1
INTRODUCTION AND METHODOLOGY

1.1 PURPOSE

The underlying reason for this study is to determine how best to address the unincorporated areas of Miami Dade County in the future, through analysis and recommendations. Miami Dade County entered into a contract on December 8, 2014 with PMG Associates, Inc. of Deerfield Beach, Florida to complete an "Analysis of Incorporation and Annexation within the Unincorporated Areas" of the County. The purpose of this study is to present the county with the analysis and findings of the following four different scenarios and possible recommendations. Those scenarios were:

- Full incorporation of the entire unincorporated area if determined to be feasible (via annexation or incorporation)
- No further incorporations, only annexations
- No further incorporations or annexations
- Increased Metropolitan governance at the County level, that could be accomplished based on the existing powers of the County

Once the analysis is completed, the results will be presented to the Board of County Commissioners (Board).

1.2 COUNTY CHARTER/STATE LEGISLATION

Miami-Dade County is unique in the State of Florida in that it is governed by a Home Rule Charter that supplants State Statutes, in many cases. The Miami-Dade Home Rule Amendment to the Florida State Constitution was adopted in 1956 and the Miami-Dade Home Rule Charter formally adopted in 1957.

Regarding municipal formation or annexation, legislation differs dramatically with the Home Rule Charter placing the authority to formulate rules and procedures with the County Commission, who adopts Ordinances that regulate the procedures of Incorporation and Annexation. This report recognizes the authority of the County Commission through the Home Rule Charter. Any reference to State Statutes is only to provide a reference for policies not specifically addressed in the Charter or Code of Ordinances.

Policies addressing Incorporations and Annexations are found in Chapter 20 (Municipalities) of the Miami-Dade County Code of Ordinances (MuniCode last updated July 28, 2015) with Article I concentrating on Boundary Change Procedure (Annexations) and Article II, focusing on Incorporation Procedure.

State legislation on the topic is found in Title XII Municipalities, particularly Chapter 165, Formation of Local Governments and Chapter 171, Part I Local Government Boundaries, Municipal Annexation or Contraction. The pertinent section is identified below.

> *171.071 Effect in Miami-Dade County.—Municipalities within the boundaries of Miami-Dade County shall adopt annexation or contraction ordinances pursuant to methods established by the home rule charter established pursuant to s. 6(e), Art. VIII of the State Constitution.*
> *History.—s. 1, ch. 74-190; s. 31, ch. 2008-4.*

Legalities of Incorporation/Annexation

The current Miami-Dade County Charter requires a referendum for (i) incorporation; and (ii) annexation of any area which includes more than 250 residents who are registered electors. Pursuant to combined provisions of the Charter and the Miami-Dade County Code (Section 20-9), where there are 250 residents who are registered electors or less, and the area is less than 50% developed residential, no referendum is required. Otherwise, a referendum is required. Based on these provisions, the completion of the incorporation of the entirety of the unincorporated area will require multiple referenda. Based on feedback from the public, it is likely that not all referenda will pass. Of particular significance are the enclaves that exist throughout the County. Many of the residents of these areas have expressed their desire not to be annexed into any municipality (see comments in Appendix). The only mechanism to compel these residents to join municipalities is through a mandate from the Board of County Commissioners. At present, the Board does not have this authority under the County Charter.

Questions have been posed throughout this analysis of how neighboring counties were able to compel unincorporated areas to join adjacent municipalities. In the case of Broward County, the issue was decided by an act of the Florida Legislature. Without this legislation, the requirement to compel the inclusion of unincorporated areas into a municipality would not have existed. The general state statute providing for alternative methods of annexation is expressly not applicable within Miami-Dade County. All annexations within Miami-Dade County are governed by the Charter.

Although the full incorporation of the County may be a desirable outcome, the authority to reach this objective does not lie exclusively within the jurisdiction of the Board of County Commissioners.

One option for the County is to have this issue debated and addressed at the next Charter Review Committee, when it is empaneled in the future. Since this issue is of such importance to the County as a whole, the issue should be examined.

1.3 METHODOLOGY

The analysis of Incorporation and Annexation in Miami-Dade County began with an identification of the issues that impact the provision of services to the citizens and property owners in the unincorporated portions of the County. Each issue was then researched and evaluated to determine the potential methods to address the topic and analyze the alternatives.

Research sources included the Budgets of Miami-Dade County, local ordinances, State Legislation, planning studies, environmental analyses and operational studies. A literature search from national and other State-wide sources was also conducted.

If accepted by the Board of County Commissioners (Board), these recommendations will lead to a change in the County Code with respect to Incorporations and Annexations.

The issues considered are:

- The future role of the Board
- Regional Assets
- Extension of municipal boundaries outside of the Urban Development Boundary (UDB)
- Continued support for Transit Nodes and Urban Centers
- Environmental Protection
- Consideration of businesses in the process
- Minimum Size of new municipalities
- Procedures for Annexation Applications
- Procedures for Municipal Advisory Committees (MACS) Analysis of Incorporation
- Consideration of Low Income Areas
- Future Incorporation/Annexation preferences
- Operation of UMSA
- Consideration of Small Area Annexations and Enclaves

1.4 COMMUNITIES OF INTEREST

For the purposes of analyzing the financial profile of different sections of the unincorporated area of Miami-Dade County (the estimated tax income derived from an area subtracted by the estimated cost of services), each section of unincorporated Miami-Dade was sorted into a Community of Interest (COI). The Federal definition of a COI (from Election laws) is a gathering of people assembled around a topic of common interest or socioeconomic characteristics.

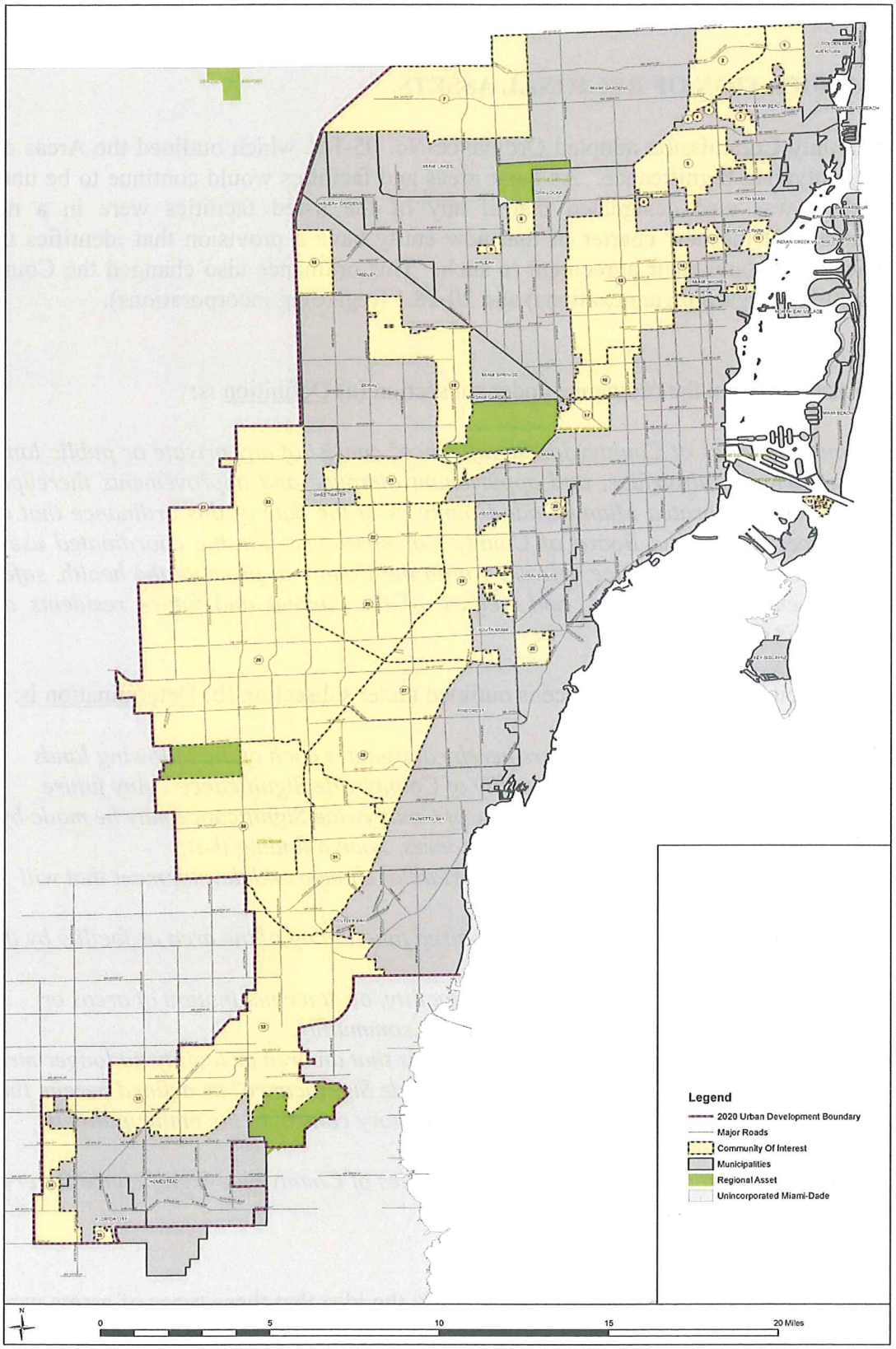
Many factors were considered when identifying COIs. 2010 Census Designated Places (CDPs), Existing Municipal Advisory Committees (MACs), Community Redevelopment Agencies (CRAs), and Community Development Districts (CDDs) were all considered. Other sources included demographic data using the 2010 Census and the 2013 American Community Survey (ACS) 5 year estimate. Census data was broken down to the Block level, giving exact numbers for the COI, while ACS data is only broken into Block Group level, only allowing for estimates

for each COI. Race and poverty figures are only given in ACS data. InfoUSA.com was used to get an estimated number of businesses in each COI. Taxable Value was obtained on the parcel level from the Miami-Dade County Property Appraiser.

Each of the COIs are listed in Appendix A, along with a description, general demographic information, and an aerial map. Due to the complexity of the data, it is not possible to provide an exhaustive list of neighborhoods in each COI. Neighborhoods will be mentioned in the following descriptions if no other names (i.e. CDP) fits.

It should be stressed that the COIs are not a recommendation for municipalities, or any areas of possible incorporation or annexation. They are being used for analytical purposes only.

EXHIBIT 1-1 COMMUNITIES OF INTEREST



Source: PMG Associates, June 2015

SECTION 2
REGIONAL ASSETS

2.1 - IDENTIFICATION OF REGIONAL ASSETS

In 2005, the County Commission adopted Ordinance No. 05-141 which outlined the Areas and Facilities of Countywide Significance. As these areas and facilities would continue to be under county control, it was also designated that if any of the listed facilities were in a new incorporated area, that the new charter of that new entity have a provision that identifies this county ordinance and states their agreement to such. This ordinance also changed the County Code sections 20-8.6 (regarding annexations) and 20-28.1 (regarding incorporations).

The definition as outlined in the ordinance under subsection (a) Definition is:

> *"Areas and Facilities of Countywide Significance" consist of any private or public lands, including surface, subsurface, and appurtenant airspace and improvements thereupon, located in unincorporated Miami-Dade County as of the date of this ordinance that are deemed necessary by the Board of County Commissioners for the coordinated use of lands, development and service delivery within the County to promote the health, safety, order, convenience, prosperity, and welfare of the current and future residents and tourists of this County."*

Another defining recitation in the ordinance is outlined under subsection (b) Determination is:

> *"The Board of County Commissioners hereby designates each of the following lands listed on Exhibit A, as an "Area or Facility of Countywide Significance". Any future designation of lands as an Area or Facility of Countywide Significance may be made by resolution of the Board of County Commissioners, upon a finding that:*
> *1) "The area or facility is susceptible to substantial change and development that will detrimentally affect the facility or land;*
> *2) There is a need for the continued, unimpaired functioning of the area or facility by the greater community and;*
> *3) The service provided at or by the area or facility, or at a combination of areas or facilities, is a significant resource to the greater community.*
> *If the Board of County Commissioners determines that an area or facility no longer meets the definition of an "Area or Facility of Countywide Significance" as defined herein, the Commission, by resolution, may relinquish regulatory control to the municipality in which such area or facilities are located.*
> *(c) Regulatory Jurisdiction Over Areas or Facilities of Countywide Significance Reserved to the County".*

The concepts underlying this ordinance were to solidify the idea that these types of assets would only be answerable to one set of regulations, county regulations. Subsection (c) of this ordinance also states that if an area is to be annexed to a municipality or incorporated, the "County shall not

transfer operation, maintenance, or regulatory jurisdiction of such Area or Facility to a municipality unless expressly permitted herein".

2.1.1 - Current Ordinances

An ordinance that was passed in 2005 (05-141) outlines specific procedures that applies to designated facilities of countywide significance. The Ordinance:

- Includes a list of areas or facilities of countywide significance that included facilities associated with the Miami-Dade Police Department, Miami-Dade Water & Sewer Department, Miami-Dade Fire Rescue Department, Miami-Dade Aviation Department and Miami-Dade Seaport Department.
- Required that the County retain regulatory control over such areas and facilities as a condition of annexation by interlocal agreement and in the charters of newly-incorporated municipalities. If additional incorporations and annexations occur without providing for County jurisdiction over additional areas or facilities of countywide significance would place many of these facilities within the boundaries of municipalities and could subject them to a patchwork of regulations.
- Provided that the Board may designate additional facilities and areas as areas or facilities of countywide significance by resolution of the Board;

The facilities referenced in the Ordinance are listed under Exhibit A of the ordinance, and are as follows.

Miami Dade Police Department:

- Training Bureau Metro Training Center, 9601 NW 58 Street
  Stations and Facilities:
- MDPD Headquarters Complex 9105 NW 25 Street
- Northside Station (District 2) 2950 NW 83 Street
- Doral Station (District 3) 9101 NW 25 Street
- Cutler Ridge (District 4) 10800 SW 211 Street
- Kendall Station (District 5) 7707 SW 117 Avenue
- Hammocks Station (District 8) 10000 SW 142 Avenue
- Carol City Station (District 9) 18805 NW 27 Avenue
- Intergovernmental Bureau-South Office 7617 SW 117 Avenue

Miami Dade Water and Sewer Department:

Treatment Plants:

- Alexander Orr Water 6800 SW 87 Avenue
- South Miami Heights Water 11800 SW 208 Street
  (Proposed)
- South District Wastewater 8950 SW 232 Street

Wellfields:

- South West 12350 SW 80 Street
- West 7200 SW 172 Avenue
- Redland (Proposed) SW 142 Avenue to SW
- 167 Ave from SW
- 184 Street to SW 232 St
- Leisure City 15225 Harding Lane
- Naranja 14490 SW 268 Street
- Elevated Tank 29000 SW 142 Avenue
- Redavo 18400 SW 292 Street
- South Dade (Proposed) SW 117 Avenue from 214 Avenue to 200 Avenue
- Snapper Creek SW 102 Avenue and SW 72 Street
- Everglades 19500 SW 376 Street
- Newton Booster Station SW 344 Street & 109 Avenue
- Newton Plant 15800 SW 336 Street
- North West Sections 11, 12, and 14
- Township 53 Range 39

Regional Pump Stations:

- 0416 7301 NW 186 Street
- 0417 7950 NW 178 Street
- 0421 20215 NW 2 Avenue
- 0422 3150 NW 208 Terrace
- 0423 2451 NE 203 Street
- 0516 10350 Puerto Rico Drive
- 0522 20820 SW 117 Avenue
- 0681 15840 SW 127 Avenue
- 0683 4801 SW 117 Avenue
- 0685 11991 SW 34 Street
- 0698 20820 SW 117 Avenue
- 0761 1903 SW 89 Avenue
- 1310 NW 151 Street & 37 Avenue

Miami Dade Fire Rescue Department:

- Headquarters Complex 9300 NW 41 Street
- Supply Warehouse 8010 NW 60 Street

Stations and Rescue Facilities:

- Station 02 - Model Cities 6460 NW 27 Avenue
- Station 03 - Tropical Park 3911 SW 82 Avenue
- Station 04 - Coral Reef 9201 SW 152 Street
- Station 05 - Goulds/Princeton 13150 Hobson Drive
- Station 06 - Modello 15890 SW 288 Street
- Station 07 - West Little River 9350 NW 22 Avenue
- Station 09 - Kendall 7777 SW 117 Avenue
- Station 12 - MIA M. I. A. Bldg. 1044
- Station 15 - Key Biscayne 2 Crandon Boulevard

- Station 17 - Virginia Gardens 7050 NW 36 Street
- Station 21 - Haulover Beach 10500 Collins Avenue
- Station 23 - Kendall South 7825 SW 104 Street
- Station 24 - Air Rescue South 14150 SW 127 Street
- Station 26 - Opa Locka 3190 NW 119 Street
- Station 34 - Cutler Ridge 10850 SW 211 Street
- Station 36 - Hammocks 10001 Hammocks Blvd
- Station 37 - West Bird 4200 SW 142 Avenue
- Station 42 - Fisher Island 65 Fisher Island Dr.
- Station 43 - Richmond 13390 SW 152 Street
- Station 44 - Palm Springs North 7700 NW 186 Street
- Station 47 - Westchester 9361 Coral Way
- Station 51 - Honey Hill 4775 NW 199 Street
- Station 52 - S. Miami Heights 12105 Quail Roost Drive
- Station 53 - Turnpike 11600 SW Turnpike Hwy.
- Station 55 - Saga Bay 21501 SW 87 Ave
- Station 56 - West Sunset 16250 SW 72 Street
- Station 57 - West Kendall 8501 SW 127 Avenue
- Station 58 - Tamiami 12700 SW 6 Street
- Station 60 - Redland 17605 SW 248 Street
- Emergency Operating Center 9300 NW 41 Street
- Emergency Medical Services 9300 NW 41 Street
  Urban Search and Rescue 7900 SW 107 Avenue

Florida Power and Light:

- Cutler Plant 14925 SW 67 Avenue
- Turkey Point Plant (Fossil) 9700 SW 344 Street
- Turkey Point Plant Nuclear 9760 SW 344 Street

Miami Dade Department of Solid Waste Management:

Disposal Facilities:

- Resources Recovery 6990 NW 97 Avenue
- North Dade Landfill 21300 NW 47 Avenue
- South Dade Landfill 24000 SW 97 Avenue
- Old South Dade Landfill (Closed) 24800 SW 97 Avenue
  58 Street Landfill / Household Hazardous Waste Facility 8831 NW 58 Street
- Northeast Transfer Station 18701 NE 6 Avenue
- West Transfer Station Areas 2900 SW 72 Avenue

Trash & Recycling Centers:

- Palm Springs North 17600 NW 78 Place
- Golden Glades 140 NW 160 Street
- West Little River 1830 NW 79 Street
- Snapper Creek 2200 SW 117 Avenue
- Sunset Kendall 8000 SW 107 Avenue

- Chapman Field 13600 SW 60 Avenue
- Richmond Heights 14050 Boggs Drive
- West Perrine 16651 SW 107 Avenue
- Eureka Drive 9401 SW 184 Street
- South Miami Heights 20800 SW 117 Court
- Moody Drive 12970 SW 268 Street
- North Dade 21500 NW 47 Avenue

Miami Dade Airport and all its properties
Miami Dade Seaport and all its properties
Miami Dade Metro Rail Maintenance and its Operational Facilities
Miami Intermodal Center (MIC)
Military Bases

2.1.2 – Current Practice

The County currently includes an agreement to transfer local parks and local roads to the incorporating or annexing municipality. The facilities of countywide significance are addressed through a clause that retains operational and/or regulatory jurisdiction over the facilities.

2.2 – RECOMMENDATION OF CHANGES TO THE SYSTEM

It is recommended, by the Consultant, that the County alter the manner in which the Areas and Facilities of Countywide Significance are addressed in Incorporation or Annexation initiatives. The change will develop a three tier system that focuses on the type of facility and the rationale for consideration of the disposition of the areas.

Level 1 – Facilities that cannot be incorporated or annexed
This category includes facilities that are of such importance that the County must retain all control over the property. The requirement of services from the local jurisdiction would be limited or nonexistent. In addition, as expansion of the facility occurs, the County will not be required to obtain approval from the local jurisdiction.

Level 2 – Facilities that may be incorporated or annexed, but will remain under the County operation and management.
The properties in this category are essential to the county-wide operation of the service and must remain a part of the current management structure. These properties would be annexed to avoid establishing an enclave by leaving single parcels unincorporated while surrounded by a municipality.

Level 3 – Facilities that will be turned over to the municipality
Smaller facilities such as local parks that will turned over to the municipality who will maintain and operate the services.

2.2.1 - Facilities that cannot be incorporated or annexed

This study includes a recommendation that no annexation or incorporation can occur for the following facilities:

- Airports
- Seaport (already within the corporate boundaries of the City of Miami)
- Major County Parks
    - Amelia Earhart Park
    - Crandon Park
    - Haulover Park
    - Haulover Beach
    - Homestead Bayfront Park
    - Larry and Penny Thompson Park
    - Tropical Park
    - Zoo Miami
- State Parks
- Homestead Air Reserve Base
- Miami Intermodal Center

The functions of these facilities are of regional importance and must be retained under full control of the County.

2.2.2 - Facilities that can be incorporated or annexed but remain under County Operation

Facilities that fall under this category are represented by the listing in Appendix A as the following:

- Miami-Dade Police Department facilities
- Miami-Dade Water and Sewer Department
    - Treatment Plants
    - Wellfields
- Miami-Dade Fire/Rescue Department
    - Headquarters
    - Warehouse
    - Stations
- Florida Power and Light Plants
- Miami-Dade Department of Solid Waste Management
    - Disposal facilities
    - Trash and Recycling Centers
- Parks and Recreation
    - County Parks (not in Level 1)
    - Trails
    - Bike Paths
- County Roads
- Stormwater Facilities

The Miami-Dade Seaport is included in Level 1. However, the majority of the facility is already located within the municipal borders of the City of Miami. There is no intention in this study to de-annex any property from an existing municipality. It is clear that Miami-Dade County will continue to maintain the authority and jurisdiction to operate this facility.

2.2.3 – Facilities that could be turned over to the local jurisdiction

The types of areas or facilities that could be transferred by the county to a newly incorporated entity or an annexing municipality would be County Local Parks and Local Roads.

2.2.4 – Agreements regarding Areas and Facilities of Countywide Significance

Annexation:

It is recommended that if an area or facility that has been designated a regional asset, the process should include an interlocal agreement between the annexing entity and the County. This interlocal agreement must be approved by the annexing entity prior to the County Commission's adoption of an ordinance allowing any boundary change,

Incorporation:

Under subsection (e) of County Code 20-28.1, the conditions of incorporation are presented that involve the areas or facilities of Countywide significance. This basically states that the entity must have provisions in the municipal charter that incorporates the provision of the County Code.

2.3 - URBAN CENTERS AND OTHER COMMERCIAL/INDUSTRIAL AREAS

Several discussions have been previously held at the Board level to prohibit certain commercial or industrial areas to be incorporated or annexed. There have been several Ordinances proposed at the Board level by Commissioners to restrict the incorporation or annexation of these commercial/industrial areas. The theory behind the proposals was to secure the funding for UMSA and eliminate wholesale loss of these types of uses. Currently, the County Code (section 20-8.7) states that the County Commission may require mitigation from the municipality should these areas be included in an annexation proposal.

Discussions include the following agenda items:

- Resolution R-972-14
- Resolution R-186-14
- Legislative Item No. 051910
- Legislative Item No. 132316

In the case of incorporation, most of the MACS need the revenue from the commercial/industrial areas to succeed financially. Elimination of these areas could place many of the MACS in jeopardy to be able to finance their delivery of services. Some of the most recent MACS may also find that future annexation is necessary to finance the operations in the future.

2.4 – MECHANISM FOR APPLICATION AND CHANGES TO COUNTY CODE

To more accurately address the Regional Assets of the County, the County Code should be amended to develop a three-tier system:

- **Facilities that can never be annexed or incorporated**
- **Facilities that may be annexed or incorporated, but will remain under County operation and jurisdiction**
- **Facilities that can be ceded to the annexing or incorporating municipality**
- **Require any annexing municipality to agree that operational and regulatory jurisdiction over the Areas and Facilities of Countywide Significance be retained by Miami-Dade County.**
- **Amend the Code addressing Areas and Facilities of Countywide Significance to adopt the three tier system**

SECTION 3
PLANNING ISSUES

3.1 URBAN DEVELOPMENT BOUNDARY

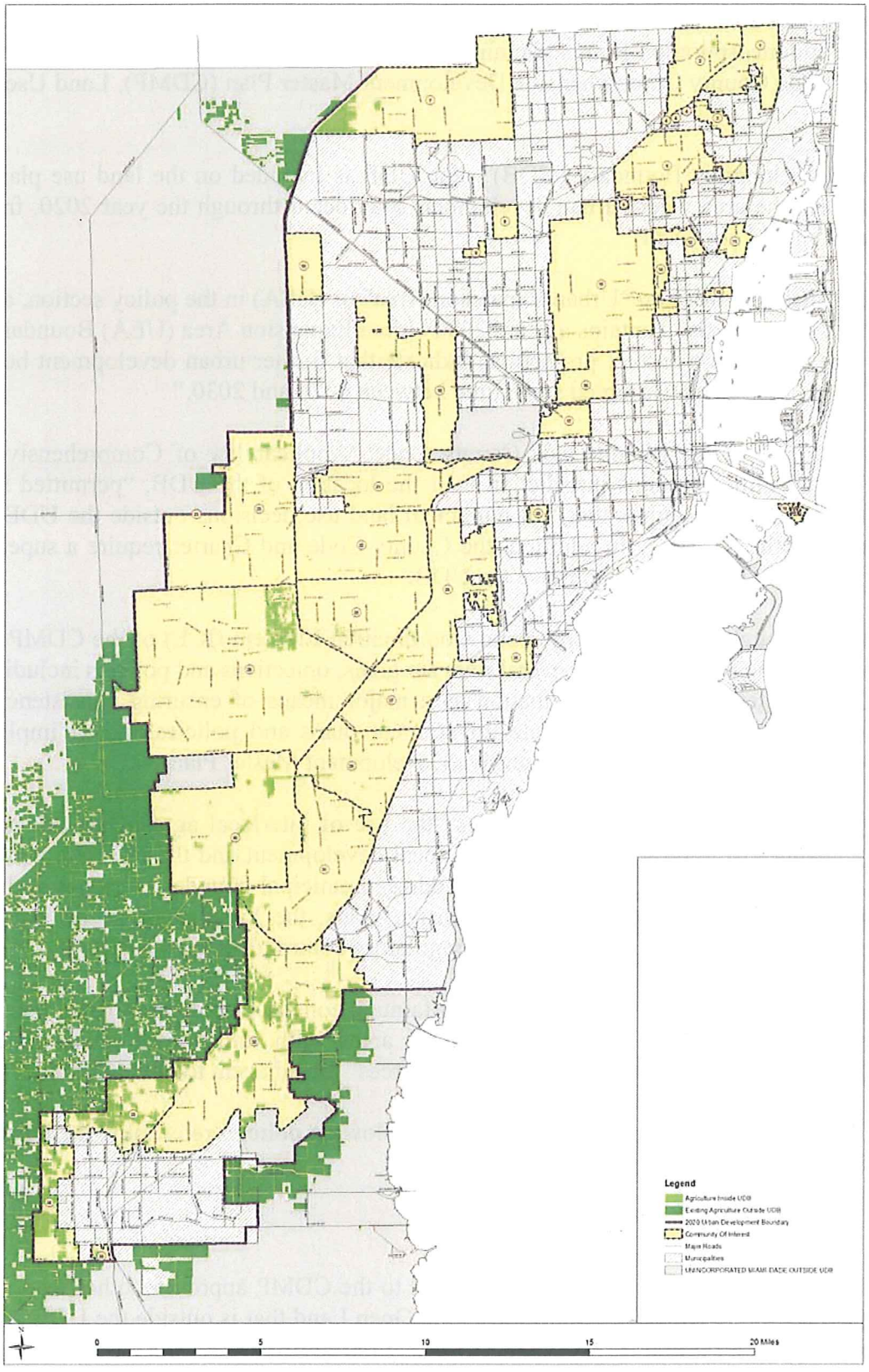
The primary purpose of municipal government is the delivery of services to the citizens and property owners of the jurisdiction. The definition of a municipality is best expressed in the following setion taken from the Florida Local Government Formation Manual; "*A municipality is a local government entity located within a county and created to perform additional functions and provide additional services for the particular benefit of the population within the municipality. Municipalities have an advantage in providing urban services by virtue of their traditionally compact and contiguous nature. Municipal residents must pay ad valorem taxes levied by both municipal and county governments, generally resulting in increased taxes for citizens within a newly created city.*"

The manual goes on to state: *"Annexation is one of the primary tools used by American cities to adjust to urban population growth and to meet the needs of people for government services on the periphery of a city. Through annexation, a city may increase its tax base, expand its service delivery area, maintain a unified community, allow additional persons to vote in elections that affect their quality of life, and control growth and development.* "

Due to the operation of the Urban Development Boundary (UDB) in Miami-Dade County, the customary functions of local government are not available to citizens and property owners outside of the UDB since the land area cannot be developed in the manner that requires municipal services. In this regard, the UDB also functions as the urban services boundary.

The Land Use Element of the Comprehensive Development Master Plan (CDMP) states that the UDB is included on the Land Use Plan (LUP) map to "distinguish the area where urban development may occur through the year 2020 from areas where it should not occur." For areas within the UDB, the CDMP states that development orders will generally be approved if "level-of-service standards for necessary public facilities will be met", and the CDMP "seeks to facilitate the necessary service improvements within the UDB to accommodate the land uses indicated on the LUP map within the year 2020 time frame" thus encouraging public expenditure for infrastructure within the UDB. Conversely "urban infrastructure is discouraged outside the UDB."

EXHIBIT 3-1, AGRICULTURAL LANDS



Sources: Miami-Dade Property Appraiser, PMG Associates, Inc.

3.1.1 - Importance of the Urban Development Boundary

This section focuses on the importance of the Urban Development Boundary (UDB) to annexation and incorporation from a planning perspective. The UDB is defined and described in the Miami-Dade County Comprehensive Development Master Plan (CDMP), Land Use Element as follows:

> Urban Development Boundary (UDB) – the UDB is included on the land use plan map to distinguish the area where urban development may occur through the year 2020, from areas where it should not occur.

The CDMP also identifies an "Urban Expansion Area" or (UEA) in the policy section, and states that the land use map also contains a year "2030 Urban Expansion Area (UEA) Boundary." This UEA is "the area where current projections indicate that further urban development beyond the 2020 UDB is likely to be warranted some time between 2020 and 2030."

Section 2-116.1.2 of the Miami-Dade County Code "Applicability of Comprehensive Master Plan to Municipalities" retains jurisdiction over the location of the UDB, "permitted land uses outside the UDB, and requires that "all municipal land use decisions outside the UDB shall be consistent with the CDMP." In addition, the County Code and Charter require a supermajority vote of the County Commission to move the UDB.

In addition, although the Intergovernmental Coordination Element (ICE) of the CDMP does not specifically cite the UDB there are several relevant goals, objectives and policies including:

Goal Use intergovernmental coordination as a major means of ensuring consistency among local, county, regional and state government plans and policies and of implementing Miami-Dade County's Comprehensive Development Master Plan.

Objective ICE-3. This objective encourages "the use of interlocal agreements and municipal boundary changes to improve coordination of local development and the effective and efficient delivery of local services." Related policies address municipal boundary changes and required compliance with County and City comprehensive plans, the logic of proposed jurisdictional boundaries, and that the county will maintain regulatory control over regional assets.

Objective ICE-4. This requires the county to "Maintain consistent and coordinated planning and management of major natural resources within areas with multi-government jurisdictional responsibilities." Many of the "major natural resources" are adjacent to or nearby the UDB.

The Land Use Element of the CDMP includes the following policies relevant to the UDB.

Policies

LU-3O.This restricts zoning action or amendment to the CDMP approving other than limestone quarrying, agriculture or residential in the Open Land that is outside the UDB and within one mile of a portion of Krome Avenue requires an affirmative vote of not less than five

members of the affected Community Zoning Appeals Board and 2/3's of the County Commission.

LU-8G. This policy requires that when considering land areas added to the UDB, areas that are not to be considered include wellfield protection areas, water conservation areas, Redland area south of Eureka Drive, and areas within the accident potential zone of the Homestead Air Reserve Base. Areas to be "avoided" include wetlands so designated in the Conservation and Land Use Element, coastal high hazard areas east of the Atlantic Coastal Ridge, and Comprehensive Everglades Restoration Plan project footprints.

LU-8G. Designates areas to be given priority for inclusion on the UDB including land within the "Planning Analysis Tiers having the earliest projected supply depletion year", land within the UEA and contiguous to the UDB, locations within "one mile of planned urban center or extraordinary transit service", and locations with a surplus service capacity or where services can be readily extended. There is also an allowance for expansion of the UDB for "unique regional" facilities.

LU-8H. Provides specific criteria that must be utilized in evaluating expansions of the UDB.

LU-9C. Restricts the application of "Severable Use Right" program to within the UDB, and allows modification of the program to provide for transfer of development rights from land acquired by government for uses other that residential or commercial to development site inside the UDB.

In addition to the above, the Land Use Element includes a section for interpretation of the Land Use Plan Map which makes the following statement regarding the UDB:

> "Critical in achieving the desired pattern of development is the adherence to the 2020 Urban Development Boundary (UDB) and 2030 urban Expansion Area (UEA) Boundary. Given the fundamental influences of infrastructure and service availability on land markets and development activities, the CDMP has since its inception provided that the UDB serve as an envelope within which public expenditures for urban infrastructure will be confined. In this regard the UDB serves as an urban services boundary in addition to a land use boundary."

Conclusion. Based on the CDMP language noted above, the UDB is an important tool for Miami-Dade County in defining urban service, protecting environmentally sensitive land and land use limitations. The CDMP encourages intergovernmental coordination to ensure that urban services and land development stay within these boundaries; it limits uses in natural resource areas beyond the UDB, and defines areas that are both acceptable and areas which are not acceptable for the expansion of urban development.

3.1.2- Existing Services Outside of the UDB

Since there is little development outside of the UDB, the governmental services are limited because the area is primarily agricultural, rock mining and environmentally sensitive lands. Police and Fire/Rescue services are provided, as needed, and regulatory and health provisions remain in effect. However, the area does not require the same level of services as more urbanely developed sections of the County.

3.2- TRANSIT NODES

This section focuses on the importance of the "Transit Nodes" from the planning perspective, how they feed transit and how the development intensities can be retained when annexed into a municipality or incorporated as part of a new municipality. The analysis reviews relevant elements of the Miami-Dade County Comprehensive Development Master Plan (CDMP) including the Land Use, Transportation and Intergovernmental Coordination sections.

The introduction to the Land Use Element states that the growth management policy intent includes encouraging intensification of development around a network of high intensity urban centers well connected by multimodal intraurban transportation facilities. Based on the Legislative Intent, these minimum standards already apply countywide. The application for annexation is that the annexing municipality must make an affirmative statement that they agree to this standard.

The Land Use Element of the CDMP includes the following policy language concerning transit nodes:

Objective LU-7. This objective states that the "County shall require all new development and redevelopment in existing and planned transit corridors and urban centers to be planned and designed to promote transit-oriented development (TOD), and transit use, which mixes residential, retail, office, open space and public uses in a pedestrian and bicycle friendly environment that promotes the use of rapid transit services."

> Policy LU-7A requires the county to "encourage development of a wide variety of residential and non-residential land uses and activities in nodes around rapid transit stations to produce short trips, minimize transfers, attract transit ridership, and promote travel patterns on the transit line that are balanced directionally and temporally to promote transit operational and financial efficiencies."

> There is also a section in the CDMP for "Interpretation of the Land Use Plan Map: Policy of the Land Use Element" that provides guidance regarding the character of different land use areas. It also provides incentives for affordable/workforce density bonuses on sites that are within ½ mile of activity nodes. This section includes policy language for Urban Centers which "are encouraged to become hubs for future urban development intensification in Miami-Dade County, around which a more compact and efficient urban structure will evolve. These Urban Centers are intended to be moderate- to high-intensity

design-unified areas which will contain a concentration of different urban functions integrated both horizontally and vertically."

The Transportation Element includes language which is complementary to that which is in the Land Use Element to coordinate densities and intensities of land use with the planning of transit centers. The Goal of the Transportation Element is to "Develop and maintain an integrated multimodal transportation system in Miami-Dade County to move people and goods in a manner consistent with overall countywide land use and environmental protection goals and integration of climate change considerations in the fiscal decision-making process."

Policies

TE-1F. This policy requires that the County "vigorously" implement transit-supportive land use policies "in association with planned rapid transit facilities" in the transportation element.

Objective TE-3. This Transportation element objective states that the "County shall cooperate with the Metropolitan Planning Organization (MPO) for the Miami Urbanized Area (MUA) to enhance Miami-area planning procedures, methodologies, and analytical tools to improve analysis of relationships between transportation facility plans and programs, and land use plans, development standards and implementing programs."

Policies

TE-3A. Requires the County to "cooperate with, and participate in, activities and initiatives undertaken by the Florida Department of Transportation (FDOT) and the statewide MPO Advisory Committee (MPOAC) to enhance intermodal and land use aspects of transportation planning", and to coordinate the preparation of major updates to the long range transportation plan with the MPO to "better coordinate transportation and land use planning and enhance intermodal qualities of transportation analysis and plans of the MPO."

TE-3B. This policy requires that the County analyze "planned land use patterns and intensities in planned rapid and premium transit station areas and shall identify transportation and land use plan changes needed to improve interrelationships." This analysis is intended to identify "locations where planned transit facilities are not supported by the planned land use or development intensity", "alternative land uses or intensities will be analyzed, and potential land use or transportation plan amendments will be identified". This analysis is required to be shared with the MPO and the directly affected municipal jurisdiction for consideration of local plan amendments by that local jurisdiction.

The stated purpose of the Traffic Circulation Subelement of the Transportation Element is "to advocate for a transportation system that efficiently supports mass transit, non-motorized transportation modes and economic growth while reducing independence on the use of person automobiles." The goal of this subelement is to "develop, operate and maintain a safe, efficient and economical traffic circulation system in Miami-Dade County that provides ease of mobility to all people and for all goods, is consistent with desired land use patterns, conserves energy, protects the natural environment, enhances non-motorized transportation facilities, supports the usage of transit, and stimulates economic growth".

Objective TC-4. This objective states that the County will coordinate the Traffic Circulation Subelement with the Land Use element, including "land uses, Urban Development Boundary (UDB) and Urban Expansion Area (UEA) designated" and with the "goals, objectives, and policies of all other Elements of the CDMP."

Policies

TC-4B.Requires the County to use the adopted Land Use Plan map to "guide the planning of future transportation corridors and facilities to ensure the proper coordination between transportation planning and future development patterns."

The stated purpose of the Mass Transit Subelement of the Transportation Element is "to provide for the development of mass transit facilities as a major component of the county's overall multimodal transportation system to enhance mobility". "It is the intention of Miami-Dade County through the implementation of this Subelement to emphasize the importance of providing mass transit services from residential areas to employment centers and tourist destinations in order to shift the travel mode from single-occupancy vehicles to mass transit". This subject element includes objectives and policies which "emphasize the maintenance and development of transit services and facilities to support the staging and phasing of designated future land use patterns consistent with the Land Use Element."

Objective MT-2. Requires the county to "coordinate the provision of efficient transit service and facilities with the location and intensity of designated future land use patterns as identified on the Land Use Plan Map, and the goals, objectives and policies of the Land Use Element."

Policies

MT-2A.Requires the County to coordinate transit improvements, and "support the staging and shaping of development as planning in the Land Use Element."

MT-2B.Requires areas around future transit stations "not yet sited or depicted on the Land Use Plan map" to be developed as "community urban centers".

Objective MT-6. Requires the county to continue coordinating the "Mass Transit Subelement, Miami-Dade Transit's Transit Development Plan, and the plans and programs of the State, region and local jurisdictions."

Policies

MT-6F.States that the County "shall continue to coordinate mass transit planning with the plans and programs of the municipalities in an effort to avoid duplication of transit services".

The Intergovernmental Coordination Element also includes language which supports coordination of land uses and transit. The purpose of this element is to identify incompatibilities between the County's comprehensive planning and that of other governmental agencies.

Policies

ICE-1N.States that the County will "support the establishment of a coordinated regional transit system for the transportation disadvantage."

ICE-1O.Promotes partnerships among the local governments, FDOT, and the MPOs to meet the "intermodal and infrastructure needs of transportation systems".

Conclusion. The Miami-Dade County CDMP Future Land Use, Transportation and Intergovernmental Coordination Elements include specific and broad policy language in their goals, objectives and policies which integrate the future land use planning process with the transportation and transit planning process. The CDMP also emphasizes the construction of capital improvements which support transit nodes and corridors while directing improvements away from undeveloped areas such as those outside of the Urban Development Boundary.

Established policies for future land use and development focus on increasing densities and intensities coordinated with the planned construction of public infrastructure to support multi-modal transportation (including transit). Policies for transportation and transit improvements focus on the construction of public infrastructure coordinated with increasing densities and intensities of adjacent land uses. Consequently, these CDMP elements are all tied together and are key to future growth management in Miami-Dade County.

Based on review of the above CDMP goals, objectives and policies, the transit nodes feed transit activities through the following:

- Identification of transit corridors
- Encouraging connection of transit corridors to areas of employment, shopping, residential and tourist attractions
- Encouraging densities and intensities of land uses around transit nodes establishing nearby ridership and reducing reliance on the automobile
- Providing incentives for affordable and workforce housing to be located nearby transit nodes
- Directing capital expenditures to transit-oriented improvements, and creation of complete streets nearby these transit nodes

In addition, as a key element for transit success it is important to ensure that densities and intensities of land uses are maintained in and around the transit nodes. The CDMP has established mechanisms for intergovernmental coordination and cooperation including:

- Coordination of comprehensive planning for affected municipalities
- Coordination with and through the MPO
- Inter-local agreements for the provision of transit services, and construction of publicly owned transit facilities

In addition, the CDMP Intergovernmental Coordination Element (ICE) has specific policy guidance regarding "proposals for municipal incorporation, annexation, and other boundary change" and requires compliance with procedures outlined in the Miami-Dade County Code. The ICE also states that "with regard to municipalities newly created or approved for boundary change, the County shall seek to establish mutually acceptable arrangements with the municipality for the planning area, which may include contractual or other agreements regarding the delivery or public services, conduct or coordination of land use planning or development regulatory activities, or other governmental functions consistent with the County Code."

The Miami-Dade County Code requires consideration of the County Planning Director, recommendation of the Planning Advisory Board, and affirmative vote of the Board of County Commissioners to approve a change in municipal boundaries. Regarding the creation of new municipalities, the Code states that the "Board of County Commissioners and only the Board may authorize the creation of new municipalities in the unincorporated areas of the county after hearing the recommendations of the Planning Advisory Board, after a public hearing, and after an affirmative vote of a majority of the electors voting and residing within the proposed boundaries."

3.2.1 - Recommendations

Based on the previous analysis, this section recommends that the county consider the following methods of retaining the allowance for densities and intensities of development in the transit nodes:

- **Regarding Transit Nodes and annexations: the annexing municipality must include in the annexation application an affirmative statement to the Board stating that the current established densities and uses that as outlined in the CDMP will remain at the currently established minimums.**
- **Regarding newly incorporated areas and Transit Nodes: the newly incorporating municipality must include in its Charter that the new entity acknowledges and will follow the minimum densities and uses as outlined in the CDMP.**
- **Regarding wellfields, aquifers and provision of potable water: it is recommended that the annexing entity make an affirmative statement in the annexation application to the Board that it agrees with and will be governed by the special regulations outlined in County Code 24 as it pertains to "special groundwater protection."**
- **Regarding wellfields, aquifers and provision of potable water and incorporation: the new entity needs to incorporate into its charter that it acknowledges and will be consistent with the County Code Chapter 24 for development and land uses for those areas.**

3.3 - WELLFIELD PROTECTION

This analysis focuses on the importance of wellfield protection related to annexation and incorporation from a planning perspective. In this regard, wellfield protection is addressed in several elements of the Miami-Dade County Comprehensive Development Master Plan (CDMP) as well as the County Code of Ordinances. Those CDMP elements are Future Land Use Element, the Conservation, Aquifer Recharge and Drainage Element (CON), and the Intergovernmental Coordination Element (ICE); and the code section is Chapter 24, Division II, Wellfield protection, domestic well systems and potable water.

The CON specifies its intent to "identify, conserve, appropriately use, and protect and restore as necessary the biological, geological and hydrological resources of Miami-Dade County" and states that Miami-Dade County is committed to "protection of environmentally sensitive wetlands and aquifer recharge and water storage areas." In this regard, the CON acknowledges the development of "comprehensive and innovative programs such as the Northwest Wellfield Protection Plan to protect the Biscayne Aquifer" which is the County's primary source of drinking water. The CON also states that the "County will continue to work towards sustainable development patterns, while protecting unique natural resources critical to the County's and South Florida economy."

The goal of the CON it to "provide for the conservation, environmentally sound use, and protection of all aquatic and upland ecosystems and natural resources, and protect the functions of aquifer recharge areas and natural drainage features in Miami-Dade County." There are also several objectives and policies that relate to wellfield protection including policy CON-2A which states that the county will "continue to prioritize the listing of stormwater/drainage improvements to correct existing system deficiencies and problems to provide for future development" including those systems within wellfield protection areas. Also Objective CON-3 and the related policies focus on wellfield protection and state the following:

Objective CON-3 – Regulations governing approved wellfield protection areas shall be strictly enforced. The recommendations of the NW Wellfield Protection Plan, and the Lakebelt Planning Process and from other ongoing planning activities aimed at refining and improving protection of local drinking water supplies shall continue to be fully implemented.

Policies:

CON-3A. No new facilities that use, handle, generate, transport or dispose of hazardous wastes shall be permitted within wellfield protection areas, and all existing facilities that use, handle generate, transport or dispose of more than the maximum allowable quantity of hazardous wastes (as specified in Chapter 24-43 of the Code of Miami-Dade County, as may be amended from time to time) within wellfield protection areas shall be required to take substantial measures such as secondary containment and improved operating procedures to ensure environmentally safe operations.

CON-3B. The water management systems that recharge regional wellfields shall be protected and enhanced.

CON-3E. The area west of the Turnpike, east of the Dade-Broward Levee, north of NW 12th Street and south of Okeechobee Road shall be reserved for limestone mining and approved ancillary uses as provided for in Chapter 24 and 33 of the Miami-Dade County Code and the entire area west of the Turnpike, north of NW 25th Street and south of Okeechobee Road shall remain unurbanized.

CON-3G. Miami-Dade County shall re-evaluate the extent, and mandate periodic updating, of the protection areas for all public water supply wellfields to adjust the protection areas and programs for those wellfields, as warranted. The County shall ensure that new surface water bodies are adequately set back from wellfields to provide an adequate rock buffer to ensure protection of water quality and maintenance of the groundwater classification of the wellfields.

CON-3H. Miami-Dade County shall identify facilities that handle, use or generate hazardous wastes in wellfield protection areas and address the feasibility of removing the grandfathering provision for facilities that have been determined to be significant sources of pollution within wellfield protection areas.

The Land Use Element identifies wellfield protection planning issues that are of a regional significance and which affect multiple jurisdictions. Following are excerpts from the Land Use Element with those regional assets or issues highlighted:

LU-3B. All significant natural resources and systems shall be protected from incompatible land use including Biscayne Bay, future coastal and inland wetlands, future potable water-supply wellfield areas identified in the Land Use Element or in adopted wellfield protection plans, and forested portions of Environmentally Sensitive Natural Forest Communities as identified in the Natural Forest Inventory, as may be amended from time to time.

LU-8G. When considering land areas to add to the UDB, after demonstrating that a need exists, in accordance with the foregoing Policy LU-8F:

i) The following areas shall not be considered:

a) The Northwest Wellfield Protection Area

The "Interpretation of the Land Use Plan Map" section of the Land Use Element includes a section on "Restricted Industrial and Office". These are areas governed by special groundwater protection regulations under Chapter 24 of the Miami-Dade County Code. It specifies that land uses within these areas should be "limited to office uses, but certain business, warehousing and manufacturing uses may be permitted, provided that the use employs best management practices, and the use does not involve the on-site use, handing, storage, manufacture or disposal of hazardous materials or waste as defined in Chapter 24".

Also in the "Interpretation" section of the Land Use Element is a section on "Wellfield Areas which includes the "Wellfield Protection Areas" map.

"Miami-Dade County's sole source of drinking water is the Biscayne Aquifer, which is discussed in the Conservation, Aquifer Recharge and Drainage Element of the Plan. Many characteristics of the Aquifer make it highly vulnerable to contamination from activities on the land surface. Land uses and activities near and upgradient from wellfields directly impact the quality of water ultimately withdrawn from the wells."

"In order that the new and future regional water supply wellfields constructed in predominantly undeveloped areas will remain free from contamination, land uses and development within and upgradient from the full extent of their cones of influence must be carefully controlled to limit land uses to those which will pose no threat to water quality. The County's wellfield protection regulations and protection area boundary maps must be consulted when applying or interpreting the Land Use Plan map as it relates to wellfield protection areas."

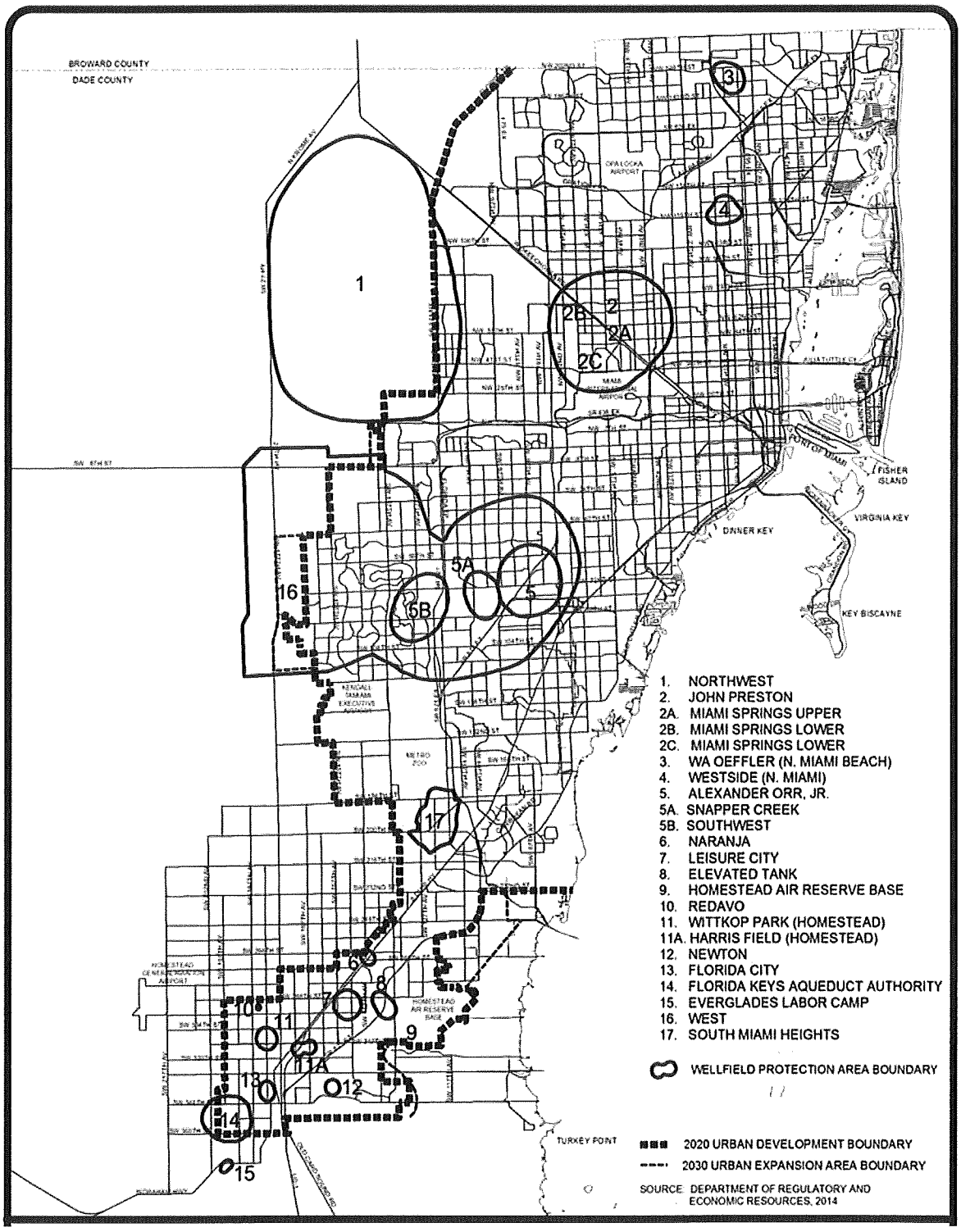
The ICE includes policy ICE-4F which states that it is the county policy to coordinate with the South Florida Water Management District "in its water supply and management planning and permitting processes, Miami-Dade County's adopted population projections, special characteristics of the CDMP Land Use Plan map and policies of the CDMP". In addition, ICE Table 3 designates "existing and proposed wellfields and elevated tanks under the authority of WASD" as "Facilities of County-wide Significance".

The Miami-Dade County Code includes Chapter 24, Division II, Wellfield Protection, Domestic Well Systems and Potable Water Standards the purpose of which is "to safeguard the public health, safety and welfare by providing scientifically established standards for land uses within cones of influence thereby protecting public potable water supply wells from contamination." It also states that this code is "effective in the incorporated and unincorporated areas". The code includes provisions for the following within certain wellfield areas:

- Prohibits any "County or municipal officer" from approving any permit or occupation license or other similar approval "for any land use served or to be served by a septic tank";
- Regulates storm water disposal methods;
- Prohibits storage of liquid wastes or installation of pipelines for transmission of hazardous materials;
- Monitoring of the groundwater elevation and limitation on pumping as needed; and,
- Restriction on land uses within the Northwest and West Wellfield areas.

Inasmuch as the wellfield areas and aquifers described in the CDMP provide the sole source of drinking water for Miami-Dade County, the protection of this resource is a priority for the county. Although Chapter 24, Division II of the Miami-Dade County Code is applicable to both county and municipal jurisdictions, it is recommended that any new incorporation or annexation that has the potential for impacting wellfield areas should be required to include comprehensive plan and code language which is at least as restrictive if not more restrictive than current county requirements. This language should address land uses as well as the use, handing, generation, etc., of hazardous materials.

EXHIBIT 3-2, WELLFIELD PROTECTION MAP



Source: Miami-Dade County

3.4 – MECHANISM FOR APPLICATION AND CHANGES TO COUNTY CODE

It is recommended by the Consultant based on the County Comprehensive Plan that the Board of County Commissioners (Board) amend the County Code to add the following changes.

- **No annexations or incorporations shall be permitted outside of the UDB.**
- **The areas outside of the UDB should be added to the "Areas or Facilities of Countywide Significance."**
- **Regarding Transit Nodes and annexations: the annexing municipality must include in the annexation application an affirmative statement to the Board stating that the current established densities and uses that as outlined in the CDMP will remain at the currently established minimums.**
- **Regarding newly incorporated areas and Transit Nodes: the newly incorporating municipality must include in its Charter that the new entity acknowledges and will follow the minimum densities and uses as outlined in the CDMP.**
- **Regarding wellfields, aquifers and provision of potable water: it is recommended that the annexing entity make an affirmative statement in the annexation application to the Board that it agrees with and will be governed by the special regulations outlined in County Code 24 as it pertains to "special groundwater protection."**
- **Regarding wellfields, aquifers and provision of potable water and incorporation: the new entity needs to incorporate into its charter that it acknowledges and will be consistent with the County Code Chapter 24 for development and land uses for those areas.**

SECTION 4
IMPACTS ON BUSINESSES

4.1 LAND USE REGULATIONS THAT COULD IMPACT BUSINESS

To facilitate an overall review of the impact of incorporations and annexations on businesses, a review of the current codes and policies has been conducted.

Regarding issues for commercial businesses related to annexation, sections of the Code which appear relevant to the operation of commercial businesses include the following:

- Part III, Chapter 8A, Business Regulations
- Part III, Chapter 33, Zoning

Within Chapter 8A, Business Regulations there are sections that impose regulations on the following businesses:

- Rental cars
- Hotels/motels
- Gasoline sales
- Junk dealers and scrap metal processors
- Bulk sale of plans
- Check-cashing
- Private security
- Motorboat repairs
- Motor vehicle repairs
- Automatic telephone dialing alarm
- Representations concerning and requirements for the sale of Kosher products
- Fair credit disclosure
- Commercial vehicle ID
- Child care, background check for personnel
- Convenience store security
- Moving
- Locksmith
- Remetering for the sale of water
- Pain management clinics
- Personal injury protection medical providers

Section 8A-8.4 of the County Code states that these regulations regarding the businesses identified above apply county-wide within municipalities as well as unincorporated areas.

Chapter 33 Zoning includes a wide range of business development and use regulations. It is assumed for purposes of this study that lands annexed or incorporated will adopt existing County zoning regulations, however there are two sections in the Zoning Code that address the following specific uses:

- Article X Alcoholic Beverages
- Article XA Educational and Child Care Facilities, Nonpublic

The alcoholic beverages code regulates the location of establishments selling alcohol, and the hours and days of sale allowable. Because these regulations are part of the zoning code, it is assumed that they apply only to unincorporated lands, and while this study does not include a detailed comparative analysis of County regulations to the various municipalities, following lists the categories of regulations:

- Location of establishments
  - Distance from other establishments
  - Distance from church or school
  - Exceptions to distance requirements for private clubs, specific zoning districts, and other specific uses
- Hours and days of sale
  - Package sales
  - Marinas, piers and fishing camps
  - Private clubs
  - Charter boats
  - Hotels/motels
  - Cabarets
  - Restaurants
  - Bars and cocktail lounges
  - Night clubs
  - Airports
  - Package sales on Christmas Eve and New Year's Eve
  - Tour boats
  - Golf course clubhouse
  - Not-for-profit theaters
  - Adult club

It is recommended that the restrictions on location and hours/days of sale be compared to relevant municipal requirements at the time of annexation to ensure consistency.

Regarding educational and child care facilities, Article XA specifically states that the regulations are enforced by the county for unincorporated areas, and by the municipalities for incorporated areas. Consequently, it appears that the regulations are applicable county-wide.

There are no issues impacting the operation of businesses.

4.2 FISCAL IMPACTS ON LEASE ARRANGEMENTS

A concern has been expressed at the Board level and from members of the general public regarding the impact on business should the property be annexed into a neighboring municipality. The impact for commercial properties is found primarily in the lease arrangement with tenants and the net return to the property owners.

Discussions include the following agenda items:

- Resolution R-972-14
- Resolution R-186-14
- Legislative Item No. 051910
- Legislative Item No. 132316

All properties that are annexed into adjacent municipalities may face the impacts of higher Ad Valorem Tax Rates than currently levied. The UMSA tax rate for Fiscal Year 2014-15 of 1.9283 is substantially less than most of the municipalities in Miami-Dade County. Annexation will then generate an increase of the costs to the property owners, both in Real Property and in Personal Property (usually defined as equipment and fixtures for businesses). The new tax rate will apply to the value of the land and building as well as the other property held.

This condition has the most impact regarding the outstanding leases on commercial property. Most newer office, retail and industrial properties require the tenant to pay an annual fee for the maintenance of the common property. Known as Common Area Maintenance (CAM), the fee covers the maintenance of the building, grounds, insurance and taxes among other items. If the property is annexed, the tax portion of CAM is recoverable from the tenants, with a slight delay based on the time frame of the leases. (Although this time frame could average six months).

Some smaller or older properties do not include CAM in the lease arrangements. In this case, the property owner must absorb the higher taxes until the existing lease terms expire. With an average lease of three to five years, this time frame could be significant.

Apartment properties typically have a lease term of one year. These leases often expire throughout the year, making the average time frame that the property owner must absorb the tax increase average six months.

The net impact of the tax increase due to annexation is loss of revenue to the property owner, jeopardizing the business model of that owner.

Another issue generated by the potential tax increase is the marketing disadvantage for a commercial property on the edge of a municipality, that is across the street from a property in unincorporated Miami-Dade County. The property located in the municipality will likely pay an average of three to five mills in additional taxes than the competition located in close vicinity to their property.

4.3 – PROVISIONS OF STATE LAW

The concern expressed by Board members and representatives of the business community to consider the existing businesses in the annexation process can be addressed through the requirement that the business property owners have a voice in the process. No section of the County Code currently exists that includes agreement from the business community. The only reference for this provision is found in State law. It is clearly understood that the County Charter supersedes State legislation. However, the appropriate section of the State legislation is provided for reference purposes only.

Under State legislation, the annexing municipality must consider the existing land use of the property to determine the amount of non-residential area included. The section involved follows.

> *171.0413 (5) If more than 70 percent of the land in an area proposed to be annexed is owned by individuals, corporations, or legal entities which are not registered electors of such area, such area shall not be annexed unless the owners of more than 50 percent of the land in such area consent to such annexation. Such consent shall be obtained by the parties proposing the annexation prior to the referendum to be held on the annexation.*

This regulation is cumbersome since it addresses land owned by non-electors. Some municipalities have struggled with the determination of land owned by electors since Voter Rolls must be consulted and the question of partial ownership (Trusts, Partnerships, etc.) also complicates the issue.

The question of the ability to require consent of business property owners prior to a referendum has been addressed through an analysis conducted by the County Attorney's Office. This analysis has been relied upon to respond to the question of the ability of business property owners to consent to an annexation referendum. The analysis states:

> *"This memorandum addresses whether the County has the authority to require that a city proposing annexation first obtain the consent of commercial property owners in that area. This memorandum further examines other states' method of annexation regarding the requirement that property owners consent to annexation."*

The conclusion of the analysis is:

> *"Miami-Dade County has the authority to require that a City proposing annexation obtain the consent of commercial property owners, providing that there is not a subsequent election by registered voters."*

Based on this opinion, we recommend that the County adopt an ordinance to amend the Code to require the annexing municipality to obtain consent of 50% (by land area) of the commercial property owners in an annexation application where there is less than 250 electors. This consent must be submitted as part of the annexation application.

4.4 – MECHANISM FOR APPLICATION AND CHANGES TO COUNTY CODE

It is recommended that the Board amend the County Code to add the following changes.

1. **Amend the Code to require the annexing municipality to obtain consent of 50% of the commercial property owners (by property area) in an annexation application where there is less than 250 electors. This consent must be submitted as part of the annexation application.**

SECTION 5
ENVIRONMENTAL ISSUES

5.1 - WELLFIELD PROTECTION

This analysis focuses on the importance of wellfield protection related to annexation and incorporation from a planning perspective. In this regard, wellfield protection is addressed in several elements of the Miami-Dade County Comprehensive Development Master Plan (CDMP) as well as the County Code of Ordinances. Those CDMP elements are Future Land Use Element (FLUE), the Conservation, Aquifer Recharge and Drainage Element (CON), and the Intergovernmental Coordination Element (ICE); and the code section is Chapter 24, Division II, Wellfield protection, domestic well systems and potable water.

Wellfield Protection is already discussed in detail in Section 3.3 of this report and will not be repeated here. Refer to Section 3.3 for the discussion regarding Wellfields.

5.2 – WATER AND WASTEWATER SERVICE

This analysis focuses on the Water and Wastewater Service as related to annexation and incorporation from an engineering perspective. Water and wastewater is addressed in several elements of the Miami-Dade County Comprehensive Development Master Plan (CDMP) as well as the County Code of Ordinances. Those CDMP elements are the Water and Wastewater Element (WS), and the Intergovernmental Coordination Element (ICE); and throughout Miami-Dade County Code of Ordinances specifically in the following:

- Part III - Code of Ordinances, Chapter 2 – Administration, Article XXXVII - Miami-Dade Water and Sewer Department and Advisory Board
- Part III - Code of Ordinances, Chapter 32 - Water and Sewer Regulations

The Miami-Dade Water and Sewer Department (WASD) is one of the largest public utilities in the United States providing direct water and wastewater service to the unincorporated areas of Miami-Dade County and wholesale water and wastewater service to number of municipalities. The existing Water Use Permit (WUP) meets the present and future water needs of the County as well as protecting natural resources such as the Everglades. WASD is also required to continue with its Water-Use Efficiency Program and develop alternative water supply sources, including reclaimed water projects using the Floridan Aquifer as an alternative water supply, a comprehensive water use efficiency program and a water loss reduction program.

The goal of the WS is to "*provide for potable water, and sanitary sewer facilities which meet the county's needs in a manner that promotes the public health, environmental protection, operational efficiency, CDMP-planned land use, and economic opportunity.*" The following are relevant objective and policies related to this study:

Objective WS-1 - In order to serve those areas where growth is encouraged and to discourage urban sprawl, the County shall plan and provide for potable water supply, and sanitary sewage

disposal on a countywide basis in concert and in conformance with the future land use element of the comprehensive plan.

Policies:

WS-1A. The area within the Urban Development Boundary of the adopted Land Use Plan Map shall have the first priority in providing potable water supply, and sanitary sewage disposal, and for committing financial resources to these services. Future development in the designated Urban Expansion Area shall have second priority in planning or investments for these services. Investments in public water and sewer service shall be avoided in those areas designated for Agriculture, Open Land, or Environmental Protection on the Land Use Plan map, except where essential to eliminate or prevent a threat to public health, safety, or welfare.

WS-1B. All new uses within the Urban Development Boundary shall be connected to a public water supply. Exceptions may be provided for residential uses at a density no greater than two units per acre, where primary drinking water quality standards as specified in the Florida Administrative Code can be met without treatment and the groundwater is free from saltwater intrusion.

WS-1C. Individual potable water supplies, including private wells, shall be considered interim facilities to be utilized only where no alternative public water supply is available and land use and water resources are suitable for an interim water supply. Such interim water supply systems shall be phased out as service becomes available from municipal or county supply.

WS-1D. The County shall protect the integrity of groundwater within wellfield protection areas by strict adherence to the Wellfield Protection Ordinances, by rigorous enforcement of sanitary sewer requirements, hazardous waste prohibitions, land use restrictions, and all other applicable regulations, and by supporting system improvements which are designed to protect or enhance the raw water supply. Existing and future wellfields of exceptional quality, such as the Northwest Wellfield, shall be particularly addressed in the regulations to prevent degradation of water quality.

WS-1E. Miami-Dade County shall use all legal and reasonable means to assure that any land use, which requires a variance from water, sewer, or environmental protection regulation of Miami-Dade County, is in conformance with the Land Use Plan map.

WS-1F. Miami-Dade County shall use all practical means to assure that land in the vicinity of water and wastewater treatment facilities is developed for a use that is compatible with the operation of said facilities. The County shall discourage changes to the Land Use Plan map or land development regulations, which would permit land uses that are incompatible with the continued operation or planned expansion of these facilities. Residential uses shall be considered incompatible with these public facilities where spillovers, particularly noise and odor, can reasonably be expected.

WS-1G. Miami-Dade County shall continue to develop the countywide water supply and sewage disposal systems by consolidating all existing systems, and by increasing the effectiveness and efficiency of existing public facilities to the maximum extent feasible.

WS-1H. New water supply or wastewater collection lines should not be extended to provide service to land within areas designated Agriculture, Open Land, or Environmental Protection on the Land Use Plan map. New water or wastewater lines to serve land

within these areas should be approved or required only where the absence of the facility would result in an imminent threat to public health or safety. The use of on-site facilities should be given priority consideration. In all cases, facilities should be sized only to service the area where the imminent threat would exist, to avoid inducing additional urban development in the area. This policy will not preclude federal, State or local long-range planning or design of facilities to serve areas within the Urban Development Boundary (UDB) or Urban Expansion Area (UEA). Public health and safety determinations will be made in accordance with Chapter 24 of the Code of Miami-Dade County (Environmental Protection) and Section 2-103.20, et seq., (Water Supply for Fire Suppression) Code of Miami-Dade County.

Objective WS-2 - The County will maintain procedures to ensure that any facility deficiencies are corrected and that adequate facility capacity will be available to meet future needs.

Policies:

WS-2A. To assure adequate level of service, potable water and sanitary sewer facilities shall meet the following level of service standards:

1) Potable Water Supply:
   (a) The regional treatment system shall operate with a rated maximum daily capacity no less than 2 percent above the maximum daily flow for the preceding year, and an average daily capacity 2 percent above the average daily system demand for the preceding 5 years. The maximum daily flow shall be determined by calculating the average of the highest five single day flows for the previous 12 months.
   (b) Water shall be delivered to users at a pressure no less than 20 pounds per square inch (psi) and no greater than 100 psi. Unless otherwise approved by the Miami-Dade Fire Rescue Department, minimum fire flows based on the land use served shall be maintained as follows:

Land Use	Min. Fire Flow (gpm)
Single Family Residential Estate	500
Single Family and Duplex; Residential on minimum lots of 7,500 sf	750
Multi-Family Residential; Semiprofessional Offices	1,500
Hospitals; Schools	2,000
Business and Industry	3,000

   (c) Water quality shall meet all federal, state, and county primary standards for potable water.
   (d) Countywide storage capacity for finished water shall equal no less than 15 percent of the countywide average daily demand.
2) Sanitary Sewer:
   (a) Regional wastewater treatment plants shall operate with a physical capacity of no less than the annual average daily sewage flow.
   (b) Effluent discharged from wastewater treatment plants shall meet all federal, State, and County standards.
   (c) The system shall maintain the capacity to collect and dispose of 102 percent of average daily sewage demand for the preceding 5 years.

WS-2B. Except as provided by Objective WS-1 and the supporting policies, no development order authorizing new development or a significant expansion of an existing use shall be issued for any area of the County which is served by a potable water or sanitary sewer facility which does not meet the standards in Policy WS-2A or will not meet these standards concurrent with the completion of the development. In any case where the federal, state, or county standards referenced in Policy WS-2A are revised, a reasonable time for compliance with the new standards shall be allowed.

WS-2C. Miami-Dade County shall maintain procedures and programs to monitor levels of service of each water supply, water treatment and wastewater treatment facility for use by agencies that issue development orders or permits. Such procedures may include the establishment of water and wastewater allocation processes to assure that adequate water supply, and water and wastewater transmission and treatment capacity is available prior to issuance of development orders or permits.

WS-2D. All wastewater treatment operations will comply with federal and state regulations for overflows.

WS-2E. Miami-Dade County shall continue and expand its current practice of installing oversize water and sewer mains and associated facilities in anticipation of future needs consistent with Land Use Element policies which affect the timing, staging, and location of future development, and shall require developers dedicating such facilities to the County to conform with this policy. All applications and proposed agreements for water and/or sewer extensions submitted to the Water and Sewer Department that are inside of and within 330 feet of the Urban Development Boundary and that may involve the installation of oversized water or sewer mains shall be subject to additional review by a designated water and sewer review committee. The installation of oversized water and sewer mains will be consistent with engineering requirements to protect the public health and safety of the area residents and Land Use Element policies.

WS-2F. The Miami-Dade Water and Sewer Department (WASD) shall continue the expansion of existing regional water and wastewater treatment plants to meet demand through the year 2035. The efficiency of existing plants will be increased wherever feasible to avoid building new plants.

WS-2G. In order to further assure high water and sewer service standards throughout the County, the County should maintain countywide design standards for all improvements and extensions of water distribution and sewer collection systems.

Objective WS-3 - The County will provide an adequate level of service for public facilities to meet both existing and projected needs as identified in this plan through implementation of those projects listed in the Capital Improvements Element. All improvements for replacement, expansion, or increase in capacity of facilities shall conform with the adopted policies of this Plan including level of service standards for the facilities.

Policies:

WS-3A. Public facility improvements will be evaluated for funding in accordance with the following general criteria:

1) Improvements necessary to protect the health, safety, and environmental integrity of the community, consistent with the policies of this Plan and applicable federal, state, and county regulatory requirements.
2) Improvements necessary to meet any deficiencies that may exist in capacity or in performance. These include the retrofit of deteriorating facilities which fail or threaten to fail to meet health, safety, or environmental standards.
3) Improvements extending service to previously unserved developed areas within the Urban Development Boundary.
4) Improvements identified in adopted functional plans and addressing system details that are beyond the scope of the comprehensive plan for wastewater and potable water facilities, and that are consistent with the goals, objectives, and policies of the comprehensive plan.
5) Cost-effective improvements to expand capacity, maximize operational efficiency, and increase productivity.
6) In providing improvements to the potable water supply system, the following additional criteria shall also be considered:
   (a) Improvements associated with the protection of existing and future wellfields identified in the Land Use Element.
   (b) Elimination of fire flow deficiencies, and otherwise improving system pressures.
   (c) Connection of all County-owned facilities and expansion of capacity at regional facilities to accommodate these connections.
   (d) Provision of water supply capacity to existing development and redevelopment.
   (e) Provision of water supply capacity to new development.
   (f) Development of a new wellfield or other facilities to provide supplemental water supply.
7) In providing for improvements to the sanitary sewer collection system, the following additional criteria shall also be considered:
   (a) Location within a public water supply wellfield protection zone.
   (b) Potential for the disposal of waste other than domestic waste.
   (c) Designation on the Land Use Plan map for a use more intense than estate density residential.
   (d) Potential for impacts on existing private wells.
   (e) Location within areas of low land elevation in conjunction with high water table.
   (f) Locations with poor soil conditions.
   (g) Proximity to existing sewer mains.

WS-3B. Potable water supply and sanitary sewage facility improvements will be undertaken in conformity with the schedule included in the Capital Improvements Element.

WS-3C. All potable water supply and sanitary sewerage improvement projects will be undertaken in accordance with applicable state, federal, and county environmental regulations.

WS-3D. Improve the administration of planning and development activity, and coordinate significant private and public planning activities in Miami-Dade County. Miami-Dade County shall maintain procedures and requirements to assure that all development, regardless of size, contributes its proportionate share of the cost of providing water

and sewer facilities necessary to accommodate the impact of the proposed development.

WS-3E. Fully implement wastewater system improvements pledged in agreements made between Miami-Dade County, the Florida Department of Environmental Protection and the United States Environmental Protection Agency, maintain a regular and ongoing program for inspection and repair of existing sewers, and maintain a schedule for the rehabilitation or replacement of substandard collector systems.

WS-3F. The Miami-Dade County Water, Wastewater, and Reuse Integrated Master Plan, the primary vehicle for planning for water, sewer, and reuse facilities, shall continue to be updated on a regular basis. The integrated Master Plan shall include initiatives to address climate change and sea level rise that would impact the water and sewer infrastructure and drinking water supplies.

Objective WS-4 - Miami-Dade County shall protect the health of its residents and preserve its environmental integrity by reducing the proportion of residences and commercial establishments within the County using private wastewater treatment facilities. Miami-Dade County shall discourage the new or continued use of such facilities through the strict application of the CDMP and land development regulations.

Policies:

WS-4A. Interim wastewater treatment plants shall be permitted only where no sewer connection is available upon consideration and approval, on a case-by-case basis, by the Environmental Quality Control Board (EQCB) at a public hearing. In evaluating permit requests the EQCB shall consider alternative methods of sewage disposal, environmental suitability, risks to wellfield and potable water supplies, impacts on proximate land uses, the potential for creating a present or future nuisance, and conformance of requested use with Land Use Element of the Comprehensive Development Master Plan (CDMP). Within the Urban Development Boundary, interim wastewater treatment facilities should be permitted for commercial uses only where a special taxing district for sewers has been approved.

WS-4B. Interim wastewater treatment plants within the Urban Development Boundary shall continue to be phased out as sewer service becomes available, with highest priority given to phasing out existing industrial wastewater plants in accord with regulations and procedures established by the Board of County Commissioners. The Division of Environmental Resources Management shall use its administrative, enforcement, and permitting authority to implement these regulations.

WS-4C. Within the Urban Development Boundary, Miami-Dade County shall strongly discourage the use of septic tanks. Throughout the County, additional septic tanks should not be permitted for the disposal or discharge of industrial or other non-domestic waste nor should they be permitted where seasonally high water table will impair proper functioning. Septic tanks should be avoided in wellfield protection areas or where private wells are in use. Under the regulations and procedures established by the Board of County Commissioners, septic tanks may be permitted outside of the Urban Development Boundary and where connection to a public sewer is not feasible.

WS-4D. Anywhere that the use of existing private wells, interim wastewater treatment plants, or septic tanks pose a threat to the public health or the environmental integrity of Miami-Dade County, the County shall assert its authority to create a special taxing district to finance connections to the public water supply or to the public sewer system.

WS-4E. Miami-Dade County shall encourage the use of special taxing districts to eliminate the use of septic tanks and private wells within the Urban Development Boundary.

WS-4F. Miami-Dade County shall take all necessary steps to ensure compliance with the 1994 Grease Trap Ordinance to prevent the build-up of grease in the sewer collection system that could result in sewer backups and overflow.

WS-4G. It is the policy of the County to mandate the connection of existing developments to the regional wastewater system upon extension of the wastewater collection system proximate to said developments. However, the County shall not require connections to be made in areas with gravity systems that are surcharged at any time of the day, for more than 30 days per year. Connections will not be required if the system is subject to overflows, discharge or exfiltration of sewage at any time during the year under any storm event of five years or less.

WS-4H. Miami-Dade County shall coordinate with municipalities and the State of Florida to monitor existing septic tanks that are currently at risk of malfunctioning due to high groundwater levels or flooding and shall develop and implement programs to abandon these systems and/or connect users to the public sewer system. The County shall also coordinate to identify which systems will be adversely impacted by projected sea level rise and additional storm surge associated with climate change and shall plan to target those systems to protect public health, natural resources, and the region's tourism industry.

Objective WS-5 - Develop and implement a comprehensive water conservation program to ensure that a sufficient, economical supply of fresh water is available to meet current and future demand for potable water without degrading the environment.

Policies:

WS-5A. All potable water distribution systems shall reduce unaccounted for water loss to less than 10 percent of the water entering the system.

WS-5B. Where feasible, all potable water treatment plants and sewage treatment plants shall adopt methods which reuse water that would otherwise be consumed in the treatment process.

WS-5C. Miami-Dade County shall seek to reduce potable water consumption by domestic, industrial and institutional consumers through the continued examination and implementation of incentives such as conservation season and marginal cost-based rate structures.

WS-5D. Promote an educational program for residential, commercial and industrial consumers which will discourage waste and conserve water.

WS-5E. Enforce requirements, and establish new requirements and procedures, as needed, to assure that high efficiency plumbing fixtures are used in all new residential and commercial structures in accordance with Section 8-31 of the Miami-Dade County Code and in conjunction with the permitted renovations in the Florida Building Code.

Improved procedures for plumbing inspections and mechanisms for approving products for installation shall be considered.

WS-5F. Miami-Dade County shall take all necessary steps to ensure that all future development shall comply with the landscape standards in Sections 18-A and 18-B of Miami-Dade County Code.

Objective WS-6 - Miami-Dade County shall undertake timely efforts to expand traditional sources of raw water and develop new alternative raw water sources and projects to meet the County's water supply needs.

Policies:

WS-6A. Miami-Dade County shall continue to utilize, expand and pursue the development of new potable water wellfields and alternative water supplies to meet the County's existing and future water supply needs. After 2013, Miami-Dade County will meet all water supply demands associated with new growth from alternative water supply sources, which may include: withdrawals from the Floridan Aquifer, implementation of water conservation methods, and development of reclaimed and wastewater reuse strategies.

WS-6B. Miami-Dade County shall take the steps necessary to assure that all viable potable water wellfields in the County remain available for use and possible future expansion. Such steps may include, but shall not be limited to, the renewal of withdrawal permits and the extension of the County's wellfield protection measures.

WS-6C. Miami-Dade County shall continue to implement Aquifer Storage and Recovery (ASR) techniques as a method of increasing supplies to the extent that such techniques have been established to be safe, feasible, and compatible with the protection of natural ecosystems.

WS-6D. In the development of its future potable water supplies, Miami-Dade County shall, to the maximum extent feasible, utilize methods which preserve the integrity of the Biscayne Aquifer, protect the quality of surface water and related ecosystems, consider and are compatible with the South Florida Water Management District's Lower East Coast Regional Water Supply Plan and the current Water Use Permit, and comply with the land use and environmental protection policies of the Miami-Dade County CDMP, the Strategic Regional Policy Plan for South Florida, and the State Comprehensive Plan.

WS-6E. Miami-Dade County shall develop and implement reclaimed water use strategies to augment the water supplies of the Biscayne Aquifer as wastewater reuse reduces withdrawals from the aquifer in addition to recharging the aquifer. The Miami-Dade Water and Sewer Department shall be responsible for implementing any reuse that is deemed by the County to be economically feasible as specified in the County's Water Use Permit. Miami-Dade County will continue to participate in pilot projects that are a part of the Comprehensive Everglades Restoration Plan (CERP). If feasible, the County, in cooperation with state and federal agencies, will utilize the results of any pilot programs participated in to develop future large-scale water reuse projects.

WS-6F. It is the policy of Miami-Dade County that the distribution of potable water from the proposed reverse osmosis water treatment plant located in proximity to the area encompassing Application No. 5 in the April 2005-2006 CDMP Cycle [area bounded by NW 154 Street on the south, NW 97 Avenue on the east, and the Homestead

Extension of the Florida Turnpike (HEFT) on the northwest], using the Floridan Aquifer as its source, shall be dedicated first to satisfying the total potable water demand from development of the site of Application No. 5. In no event shall a Certificate of Occupancy (CO) for development in the area encompassed by Application No. 5 be issued until it is served by the proposed reverse osmosis water treatment plant or by another water supply source authorized under the County's Consumptive Use Permit from the South Florida Water Management District or as otherwise agreed upon with the District and incorporated into the County's CIE Schedules of Improvements.

Objective WS-7 - Miami-Dade County shall create a Water Supply Facilities Work Plan that identifies and develops those water supply projects necessary to meet the County's projected water demands for a 20-year period.

Policies:

WS-7A. The Miami-Dade County Water Supply Facilities Work Plan (Work Plan), as prepared by the Miami-Dade County Water and Sewer Department and adopted by the Miami-Dade County Board of County Commissioners in April 2008 and subsequent approvals, is incorporated by reference into the CDMP. This document is designed to: assess current and projected potable water demands; evaluate the sources and capacities of available water supplies; and, identify those water supply projects, using all available technologies, necessary to meet the County's water demands for a 20-year period. The Work Plan shall remain consistent with the County's Water Use Permit renewals and with the goals of the South Florida Water Management District's Lower East Coast Regional Water Supply Plan. The Work Plan will be updated, at a minimum, every 5-years and within 18 months after the South Florida Water Management District's approval of an updated Lower East Coast Regional Water Supply Plan. Updates to the water supply facilities necessary to satisfy projected water demands shall be provided to the South Florida Water Management District in the Annual Lower East Coast Progress Report. The potable water supply facilities necessary to satisfy projected water demands during the 2010-2030 period are shown in Table 1, below.

WS-7B. The County shall consider the most recent approved version of South Florida Water Management District's Lower East Coast Regional Water Supply Plan in developing and updating its 20-Year Work Plan.

The ICE includes policy ICE-3 which states "Encourage the use of interlocal agreements and municipal boundary changes to improve coordination of local development and the effective and efficient delivery of local services" specifically:

ICE-3B. Miami-Dade County shall maintain procedures in the Code of Miami-Dade County providing for initiation and consideration of proposals for municipal incorporation, annexation, and other boundary changes, in accordance with provisions of the Miami-Dade County Charter. This Plan hereby adopts and incorporates by reference provisions of the Miami-Dade Charter regarding municipal incorporation, annexation and boundary changes, as authorized by Article VIII, Section 6 of the Florida Constitution. Moreover, with regard to municipalities newly created or approved for boundary change, the County shall seek to establish mutually acceptable

arrangements with the municipality for the planning area, which may include contractual or other agreements regarding the delivery of public services, conduct or coordination of land use planning or development regulatory activities, or other governmental functions, consistent with the County Charter.

ICE-3G. Maintain and utilize the authority provided in the Miami-Dade County Home Rule Charter for the County to maintain, site, construct and/or operate public facilities in incorporated and unincorporated areas of the County. Furthermore, in order to protect and promote the health, safety, order, convenience, and welfare of the residents, the County shall retain regulatory control over land use, development and service delivery for all facilities of countywide significance as listed in Table 3. While the County reserves all rights provided by the Miami-Dade County Home Rule Charter, when siting facilities of countywide significance within the boundaries of an incorporated municipality, the County will consider the municipal comprehensive plan and development regulations, as well as the need for the public facility and suitable alternative locations. The County shall at a minimum retain the authority to enforce covenants accepted in connection with Comprehensive Development Master Plan (CDMP) or Zoning approvals to provide facilities of countywide significance in areas subsequently incorporated, or annexed into existing municipalities.

The Miami-Dade County Code of Ordinances, Chapter 2 Article XXXVII "MIAMI-DADE WATER AND SEWER DEPARTMENT AND ADVISORY BOARD" provides for the legislative intent of WASD "The Board of County Commissioners hereby declares it to be the policy of Miami-Dade County to establish, own and operate a countywide sanitary sewage collection and disposal system and water supply, treatment and distribution system ..." and the formation of the department "There is hereby created and established a County department to be known as the Miami-Dade Water and Sewer Department (hereinafter called "Department"). The Department shall be an agency Countywide in scope and authority, with the power to acquire, construct and operate water and sewer systems within the incorporated and the unincorporated areas of Miami-Dade County ..."

The Miami-Dade County Code of Ordinances, Chapter 32 "WATER AND SEWER REGULATIONS" states that the scope of the regulation is "...shall govern and be applicable to all waterworks, water supply, treatment, distribution and service systems and all waste and sewage collection and disposal systems operating in whole or in part within the territorial areas or boundaries of Miami-Dade County, Florida, and shall be limited only to those water and sewer public utilities herein designated and defined." This chapter also provides for regulation such as:

- Certificates of public convenience and necessity
- Duties of public utilities
- Water and sanitary sewer connection

Miami-Dade County Code of Ordinances, regulations, and CDMP provides the needed authority for WASD to establish, construct, maintain and operate water and sewer facilities within incorporated and unincorporated Miami-Dade County boundary. However, it is recommended

that any new incorporation or annexation specify that the following facilities remain under County jurisdiction and operation through an agreement or inclusion in a new municipal charter.

1) Any and all regional facilities including but not limited to:
   (a) Alexander Orr Water Treatment Plan
   (b) South District Waste Water Treatment Plan
   (c) South Miami Heights Water Treatment Plan (Under Construction)
2) Existing and proposed Elevated Tanks.
3) Existing and proposed Regional Pump Stations.
4) Existing and proposed Water Main transmission system identified by WASD as part of their regional infrastructure.
5) Existing and proposed force main collection system identified by WASD as part of their regional infrastructure.
6) Existing and proposed sanitary sewer collection system identified by WASD as part of their regional infrastructure.

5.3 – STORMWATER FACILITIES

This analysis focuses on the Stormwater Management and Drainage Service as related to annexation and incorporation from an engineering perspective. Stormwater Management and Drainage is addressed in several elements of the Miami-Dade County Comprehensive Development Master Plan (CDMP) as well as the County Code of Ordinances. Those CDMP elements are the Conservation, Aquifer Recharge and Drainage Element (CON), and the Land Use Element (LU); and throughout Miami-Dade County Code of Ordinances specifically in the following:

- Part III - Code of Ordinances, Chapter 20 – Municipalities, Article II. Incorporation Procedure.
- Part III - Code of Ordinances, Chapter 24, Article IV - Natural and Biological Environmental Resources Permitting and Protection; Regulation of Drainage Systems and Stormwater Management.
- Part III - Code of Ordinances, Chapter 24, Article V – Stormwater Utility.
- Part III - Code of Ordinances, Chapter 28 – Subdivisions.

Objective CON-2 - Protect ground and surface water resources from degradation, provide for effective surveillance for pollution and clean up polluted areas to meet all applicable federal, state and county ground and surface water quality standards.

Policies:

CON-2A. The basin stormwater master plans produced by Miami-Dade County pursuant to Objective CON-5 will continue to prioritize the listing of stormwater/drainage improvements to correct existing system deficiencies and problems and to provide for future development. At a minimum, these lists shall include:

- Drainage/stormwater sewer systems within wellfield protection areas;

- Drainage/stormwater sewer systems in industrial and heavy business areas and areas with large concentrations of small hazardous waste generators;
- Basins and sub-basins that fail to meet the target criteria for the twelve NPDES priority pollutants listed in Policy CON-5A and additional parameters, referenced in CON-5A.

CON-2B. Miami-Dade County's Stormwater Utility Program shall fund the identification and retrofitting of deteriorated storm sewer systems and positive outfalls and the proper maintenance of stormwater systems.

Objective CON-5 - Miami-Dade County shall continue to develop and implement the Stormwater Master Plans comprised of basin plans for each of the sixteen primary hydrologic basins being addressed by the County, and cut and fill criteria as necessary to: provide adequate flood protection; correct system deficiencies in County maintained drainage facilities; coordinate the extension of facilities to meet future demands throughout the unincorporated area; and maintain and improve water quality. Each of the basins' Master Plans is to be updated every five years, with the next update to be completed by 2017. The implementing actions recommended in each basin plan shall continue to commence immediately after the applicable plan is approved. Outside of the Urban Development Boundary the County shall not provide, or approve, additional drainage facilities that would impair flood protection to easterly developed areas of the County, exacerbate urban sprawl or reduce water storage.

Policies:

CON-5A. The Stormwater Management (Drainage) Level of Service (LOS) Standards for Miami-Dade County contain both a Flood Protection (FPLOS) and Water Quality (WQLOS) component. The minimum acceptable Flood Protection Level of Service (FPLOS) standards for Miami-Dade County shall be protection from the degree of flooding that would result for a duration of one day from a ten-year storm, with exceptions in previously developed canal basins as provided below, where additional development to this base standard would pose a risk to existing development. All structures shall be constructed at, or above, the minimum floor elevation specified in the federal Flood Insurance Rate Maps for Miami-Dade County, or as specified in Chapter 11-C of the Miami-Dade County Code, whichever is higher.

1) Basin-specific FPLOS standards shall be established through the adoption of a Stormwater Master Plan to be approved by the Miami-Dade County Board of County Commissioners and the South Florida Water Management District. Until the approval of basin-specific FPLOS standards through this coordinated process, the following additional exceptions shall apply:
   (a) Wherever Miami-Dade County has adopted cut and fill criteria pursuant to Chapter 24-48.3(6) of the County Code (November 30, 2004) including fill encroachment limitations necessary to prevent unsafe flood stages in special drainage basins, the minimum applicable FPLOS standard shall be the degree of protection provided by the applicable cut and fill criteria;
   (b) Where cut and fill criteria have not been established north of S.W. 152 Street inside the Urban Development Boundary (UDB), the minimum acceptable FPLOS standard shall be protection from the degree of flooding that would result for a duration of one day from a ten-year storm;

(c) West of Levee-31 N, there shall be no off-site drainage, all septic tank drainfields shall be elevated above the hundred-year flood elevation, and the extent of land filling shall be minimized as provided in applicable provisions of the Miami-Dade County East Everglades Zoning Overlay Ordinance. The County shall review these criteria when the water management facilities programmed in the N.E. Shark River Slough General Design Memorandum and the C-111 General Reconnaissance Review are fully operational.

2) The Stormwater Management Water Quality Level of Service (WQLOS) component of the standard shall be met when the annual geometric mean for each of the following twelve priority NPDES pollutants does not exceed the following target criteria for each of those pollutants within a canal basin, or sub-basin, as determined in accordance with procedures established by Miami-Dade County DERM:

Pollutant	Target Criterion
Biological Oxygen Demand (BOD)	9 mg/l
Chemical Oxygen Demand (COD)	65 mg/l
Total Suspended Solids (TSS)	40 mg/l
Total Dissolved Solids (TDS)	1,000 mg/l
Total Kjeldahl Nitrogen (Ammonia-Nitrogen and Organic Nitrogen)	1.5 mg/l
Total Nitrate (NOX-N)	0.68 mg/l
Total Phosphate (TPO4)	0.33 mg/l
Dissolved Phosphate (OPO4)	Not Available
Cadmium (Cd)	0.0023 mg/l
Copper (Cu)	0.0258 mg/l
Lead (Pb)	0.0102 mg/l
Zinc (Zn)	0.231 mg/l

Additionally, recommended NPDES parameters may not exceed established Federal, State or Local Criteria for the water body, as listed in Table 2, "Guidance for Preparing Monitoring Plan as recommended for Phase I Municipal Separate Storm Sewer System (MS4) Permits," FDEP August 1, 2009.

3) Applicants seeking development orders in canal basins, or sub-basins that do not meet either the FPLOS or the WQLOS shall be required to conform to Best Management Practices (BMPs) as provided by Miami-Dade County Code. Owners of commercial or industrial properties where BMPs are required, shall, at a minimum, demonstrate that their on-site stormwater system is inspected two times per year and maintained and cleaned as required. Private residential developments in areas where BMPs are required shall demonstrate that their on-site stormwater systems are inspected two times per year and maintained and cleaned as required.

CON-5B. Applicants seeking development orders approving any new use or site alteration outside the Urban Development Boundary where the elevation of any portion of the site will remain below County Flood Criteria shall be advised by the permitting agency that those portions of the land that are not filled to Miami-Dade County Flood Criteria may be subject to periodic flooding.

CON-5C. Miami-Dade County shall work with the South Florida Water Management District to better identify the developed urban areas within the County that do not have protection from a one in ten year storm. The County shall develop stormwater management criteria and plans for all unincorporated areas identified. Where such areas fall within municipal boundaries, the County will coordinate the stormwater management planning with the appropriate municipality(ies).

CON-5D. Miami-Dade County shall seek funding for a comprehensive basin-by-basin drainage engineering study which will include: identification of public drainage facilities and private drainage facilities that impact the public facilities, and the entities having operational responsibility for them; establishment of geographic service areas for the drainage facilities; and, a facility capacity analysis by geographic service area for the planning periods 2015 and 2025.

CON-5E. Miami-Dade County shall establish a priority listing of stormwater drainage and aquifer recharge improvements needed to correct existing system deficiencies and problems, and to provide for future drinking water needs. This shall include:

- Drainage/stormwater sewer system improvements in developed urban areas with persistent drainage problems;
- Canal and/or stormwater drainage improvements in developed urban areas that have less than one in ten year storm protection and where no roadway drainage improvements are planned or proposed, which would remedy the problems;
- Hydrologic modifications that are needed to deliver water to public water wells or to protect those water wells from prospective contamination.

This shall be based on such factors as:

- Miles of canals with out-of-bank flow;
- Miles of collector and local streets impassable during a 5 year storm;
- Miles of minor arterial streets impassable during a 10 year storm;
- Miles of principal arterials, including major evacuation routes, that are impassable during a 100 year storm; and
- Number or structures flooded by a 100-year storm.

CON-5F. Miami-Dade County shall implement cut and fill criteria for land in the North Trail, Bird Drive, Basin B, and Western C-9 basins, as defined in Chapter 24 of the County Code, and other areas west of the easterly boundary of Area B identified in the Corps of Engineers Design Memorandum V Supplement 12 dated March 23, 1954, as necessary to protect natural hydrological characteristics of the basins, protect against flooding of developed land in the basins and downstream, and ensure continued proper recharge of groundwater supplies.

CON-5G. Miami-Dade County shall encourage, based on analysis of water impoundment areas, the need for buffers between water impoundment areas and development in order to increase the level of flood protection provided to developed areas.

CON-5H. Miami-Dade County shall periodically evaluate stormwater drainage criteria as outlined in the County Code to ensure proper flood protection is being provided to County residents.

CON-5I. When building, expanding or planning for new facilities such as water treatment plants, Miami-Dade County shall consider areas that will be impacted by sea level rise.

The Land Use Element also addresses "the protection of natural resources and systems" by adopting such policies as:

LU-3G. Miami-Dade County shall, by 2017, analyze and identify public infrastructure vulnerable to sea level rise and other climate change-related impacts. This analysis shall include public buildings, water and waste water treatment plants, transmission lines and pump stations, stormwater systems, roads, rail, bridges, transit facilities and infrastructure, airport and seaport infrastructure, libraries, fire and police stations and facilities.

LU-3I. Miami-Dade County shall make the practice of adapting the built environment to the impacts of climate change an integral component of all planning processes, including but not limited to comprehensive planning, infrastructure planning, building and life safety codes, emergency management and development regulations, stormwater management, and water resources management.

LU-9B. Miami-Dade County shall continue to maintain, and enhance as necessary, regulations consistent with the CDMP which govern the use and development of land and which, as a minimum, regulate:

v) Stormwater management;

The Land Use Element provides language for permitted uses in various land use types as defined in the County's adopted Land Use Plan (LUP).

- Other Potential Uses in Residential Communities. The uses generally permitted in Residential Communities are listed above under the residential, and gross residential density headings. The establishment of other new uses in residential areas is not allowed; however, under limited circumstances and conditions, some other land uses may be permitted to locate in Residential Communities. These special use situations are described below. No "other new use" in a residential area as described in this section shall be deemed consistent with the CDMP where the use or zoning district has, or would have, an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area.
- Office Uses smaller than five acres in size may be approved in areas designated as Residential Communities where other office, business or industrial use(s) which are not inconsistent with this plan already lawfully exist on the same block face. However, where such an office, business, or industrial use exists only on a corner lot of a subject block face or block end, approval of office use elsewhere on the block is limited to the one block face or block end which is the more heavily trafficked side of the referenced corner lot. Office uses may be approved on such sites only if consistent with the objectives and

policies of the CDMP and the use or zoning district would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would be out of scale with the character of the neighboring uses or would detrimentally impact the surrounding area. In applying this provision, the maximum limits of an eligible residentially designated block face along which office uses may be extended shall not extend beyond the first intersecting public or private street, whether existing, platted or projected to be necessary to provide access to other property, or beyond the first railroad right-of-way, utility transmission easement or right-of-way exceeding 60 feet in width, canal, lake, public school, church, park, golf course or major recreational facility.

- Open Land Subarea 1 (Snake-Biscayne Canal Basin). This subarea is located north of the Miami Canal (Canal-6) in northwestern Miami-Dade County. Rural residential use at 1 dwelling unit per 5 acres, limestone quarrying and ancillary uses, compatible institutional uses, public facilities, utility facilities, and communications facilities, recreational uses, nurseries and tree farms, agriculture production1 and the limited raising of livestock may be considered for approval in this subarea. The following uses may also be considered for approval in this subarea: parking and storage of operable, non-disabled commercial motor vehicles, including construction equipment and agricultural equipment, as defined in section 320.01, Florida Statutes, and incidental temporary parking and storage of operable, non-disabled passenger automobiles to serve such allowable uses on the same parcel (but not to include stand-alone automobile parking and storage uses such as car rental facilities). It is provided that such parking and storage uses shall be allowed only on properties larger than 20 acres, under a single ownership, and located within the area of an arc no more than 7000 lineal feet from the intersection of Okeechobee Road and the Turnpike Extension so long as the property is not located within 1,400 feet of a body of water, canal, or lake as measured from the top of bank. Such parking and storage of vehicles and equipment shall be subject to the following requirements: (a) commercial vehicle storage facilities shall obtain an annual operating permit from the Division of Environmental Resources Management in the Department of Regulatory and Economic Resources and be subject to required quarterly groundwater quality monitoring; (b) all vehicles and equipment shall be stored or parked only on paved impervious surfaces with county-approved drainage systems; (c) mechanical repair or maintenance of any kind, , shall be prohibited; (d) the storage, handling, use, discharge and disposal of liquid wastes or hazardous wastes shall be prohibited; and (e) truck washing shall be permitted as an ancillary use at commercial vehicle storage facilities provided that the truck washing shall be done with 100% recyclable water systems as approved by the Division of Environmental Resources Management in The Department of Regulatory and Economic Resources; truck washing services shall only be provided for trucks stored at the commercial vehicle storage facilities for at least 4 hours; truck washing shall be conducted only in fully enclosed buildings as approved by the Division of Environmental Resources Management in the Department of Regulatory and Economic Resources;

facilities shall allow inspections at any time during operating hours; facilities shall provide secondary containment surrounding all storage tanks; and be subject to required quarterly groundwater quality monitoring. In addition, if a violation of these provisions related to truck parking and truck washing or the operating conditions is found on a property on three separate occasions within a three year period, truck washing shall no longer be permitted on the subject property. The County, by ordinance, shall provide a process to reestablish the use, taking into account any change in ownership, the nature of the violation, and a period of repose for the property. Uses that could compromise groundwater quality shall not occur west of the Turnpike Extension.

- Open Land Subarea 4 (East Everglades Residential Areas). This subarea is bounded on the north, west and southwest by Everglades National Park, on the east by Levee 31N, and on the south by SW 168 Street. Uses which may be considered for approval in this area are agriculture production and raising of livestock3 and rural residences at a density of 1 dwelling unit per 40 acres, or 1 dwelling unit per 20 acres if ancillary to an established agricultural operation, or 1 dwelling unit per 5 acres, after such time as drainage facilities become available to protect this area from a one-in-ten-year flood event in keeping with the adopted East Everglades zoning overlay regulation (Section 33B, Code of Miami-Dade County) and compatible and necessary utility facilities. Uses that could compromise groundwater quality shall not occur in this area.
- Other Land Uses Not Addressed. Certain uses are not authorized under any LUP map category, including many of the uses listed as "unusual uses" in the zoning code. Uses not authorized in any LUP map category may be requested and approved in any LUP category that authorizes uses substantially similar to the requested use. Such approval may be granted only if the requested use is consistent with the objectives and policies of this Plan, and provided that the use would be compatible and would not have an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. However, this provision does not authorize such uses in Environmental Protection Areas designated in this Element.
- Uses and Zoning Not Specifically Depicted on the LUP Map. Within each map category numerous land uses, zoning classifications and housing types may occur. Many existing uses and zoning classifications are not specifically depicted on the Plan map. This is due largely to the scale and appropriate specificity of the countywide LUP map, graphic limitations, and provisions for a variety of uses to occur in each LUP map category. In general, 5 acres is the smallest site depicted on the LUP map, and smaller existing sites are not shown. All existing lawful uses and zoning are deemed to be consistent with this Plan unless such a use or zoning (a) is found through a subsequent planning study, as provided in Policy LU-4E, to be inconsistent with the criteria set forth below; and (b) the implementation of such a finding will not result in a temporary or permanent taking or in the abrogation of vested rights as determined by the Code of Miami-Dade County, Florida. The criteria for determining that an existing use or zoning is inconsistent with the

plan are as follows: 1) Such use or zoning does not conform with the conditions, criteria or standards for approval of such a use or zoning in the applicable LUP map category; and 2) The use or zoning is or would be incompatible or has, or would have, an unfavorable effect on the surrounding area: by causing an undue burden on transportation facilities including roadways and mass transit or other utilities and services including water, sewer, drainage, fire, rescue, police and schools; by providing inadequate off-street parking, service or loading areas; by maintaining operating hours, outdoor lighting or signage out of character with the neighborhood; by creating traffic, noise, odor, dust or glare out of character with the neighborhood; by posing a threat to the natural environment including air, water and living resources; or where the character of the buildings, including height, bulk, scale, floor area ratio or design would detrimentally impact the surrounding area. Also deemed to be consistent with this Plan are uses and zoning which have been approved by a final judicial decree, which has declared this Plan to be invalid or unconstitutional as applied to a specific piece of property. The presence of an existing use or zoning will not prevent the County from initiating action to change zoning in furtherance of the Plan map, objectives or policies where the foregoing criteria are met. The limitations outlined in this paragraph pertain to existing zoning and uses. All approval of new land uses must be consistent with the LUP map and the specific land use provisions of the various LUP map categories, and the objectives and policies of this Plan. However, changes may be approved to lawful uses and zoning not depicted which would make the use or zoning substantially more consistent with the Plan, and in particular the Land Use Element, than the existing use or zoning.

Miami-Dade County Code of Ordinances deals with the drainage and stormwater management as it relates to incorporation or annexation in many instances.

Chapter 20, Article II, Section 20-26 - Future Municipalities' Obligations to the County

(e) As a condition of incorporation approved pursuant to Article I of the Miami-Dade County Home Rule Charter, each new municipality shall include in its charter that such municipality shall be responsible for (i) its pro-rata share of any County debt outstanding at the time the municipality incorporates and with respect to the Stormwater Utility, outstanding at the time the municipality elects to be separate from the Stormwater Utility through an interlocal agreement or by exemption and (ii) its prorata share of any refunding of such debt. The municipality's annual pro-rata share of debt service shall be determined by multiplying the total debt service in each Fiscal Year by the municipality's percentage share of pledged revenues (revenues pledged by the County to the repayment of the debt). The municipality's percentage share shall be determined by dividing the pledged revenues collected within the municipality during the County's Fiscal Year in which municipality incorporates, and with respect to the Stormwater Utility in the Fiscal Year in which the municipality elects to separate from the Stormwater Utility district; by the total pledged revenues collected in that same Fiscal Year. It is further provided that the municipality's charter shall authorize the County to continue to collect and distribute the pledged revenues in a manner that is consistent with the requirements of the debt and shall recognize the municipality's obligations pursuant to this subsection.

Chapter 20, Article II, Section 20-28.1. Areas and Facilities of Countywide Significance

(c) Regulatory Jurisdiction Over Areas or Facilities of Countywide Significance Reserved to the County. Jurisdiction for purposes of comprehensive planning, zoning and building and other development approvals (including but not limited to land use, site plan approvals, issuance of building permits, building inspections, issuance of certificates of occupancy, zoning applications, special exceptions, variances, building or zoning moratoria, and all other types of functions typically performed by the departments responsible for building, planning and/or zoning), water and sewer installations, compliance with environmental regulations, and utility regulation shall be and are hereby vested in Miami-Dade County regardless of any municipal code, charter, or ordinance provision to the contrary. If an "Area or Facility of Countywide Significance" is located in an area which is sought to be annexed to a municipality or incorporated, the County shall not transfer operation, maintenance, or regulatory jurisdiction of such Area or Facility to a municipality, unless expressly permitted herein.

Chapter 24, Article I, Division 1, Section 24-2. Declaration of legislative intent.

The Board finds and determines that the reasonable control and regulation of activities which are causing or may cause pollution or contamination of air, water, soil and property is required for the protection and preservation of the public health, safety and welfare. It is the intent and purpose of this chapter to provide and maintain for the citizens and visitors of Miami-Dade County standards which will insure the purity of all waters consistent with public health and public enjoyment thereof, the propagation and protection of wildlife, birds, game, fish and other aquatic life, and atmospheric purity and freedom of the air from contaminants of synergistic agents injurious to human, plant or animal life, or property, or which unreasonably interfere with the comfortable enjoyment of life or property, or the conduct of business. The Board finds it necessary to establish, within the unincorporated and incorporated areas of Miami-Dade County, Countywide water control, coastal engineering, and coastal wetlands management programs for the purpose of maintaining adequate water levels, flood control, drainage, water conservation, and prevention of saltwater intrusion; for preserving beaches and shorelines; for managing coastal wetland resources; for acquisition of lands by gift, donation, purchase, condemnation or otherwise, as necessary for such programs; and providing for cooperation with federal, State and local agencies and authorities.

Chapter 24, Article IV, Division 1, Section 24-48. Permit required; expedited administrative authorizations; exceptions; work standards; compliance with work standards, suspension of permit

(1) It shall be unlawful for any person to perform work or authorize, allow, suffer or permit work to be performed in County canal rights-of-way, reservations or easements anywhere in Miami-Dade County, or to trim, cut or alter a mangrove tree anywhere in Miami-Dade County, or to authorize, allow, suffer or permit the trimming, cutting or alteration of a mangrove tree anywhere in Miami-Dade County, or to fill, dredge or authorize, allow, suffer or permit filling or dredging or perform or authorize, allow, suffer or permit any type of work in, on, over, or upon tidal waters, submerged bay bottom lands, or wetlands anywhere in Miami-Dade County, or to perform or authorize, allow, suffer or permit any work which results in harmful obstruction or alteration of the natural flow of surface waters or substantial reduction in recharge of water to the Biscayne Aquifer, or authorize cause, permit, allow, let or suffer the dewatering of groundwater into any groundwater,

surface water or drainage structure anywhere in Miami-Dade County, or the construction of a drainage system for any project anywhere in Miami-Dade County, without first having obtained a permit or approval from the Department. All said work shall conform to minimum standards set forth in the Code of Miami-Dade County, Florida, and the "Permit Information Manual IV" of the South Florida Water Management District, dated September 11, 2008, as same may be amended from time to time.

Chapter 2, Article V, Sec. 24-51.1. Legislative intent; construction

(1) The purpose of this article is to implement the provisions of Section 403.0893(1), Florida Statutes, by creating a Countywide stormwater utility and adopting stormwater utility fees sufficient to plan, construct, operate and maintain stormwater management systems set forth in the local program required pursuant to Section 403.0891(3), Florida Statutes.

Chapter 28, Section 28-13. Drainage

(a) Master plan and manual of public works construction. The developer shall plan all drainage for his subdivision in accordance with the master plan entitled, "County Water-Control Plan," recorded in Plat Book 64, page 114 and in accordance with the flood criteria map, recorded in Plat Book 53, pages 68, 69, and 70, or as such plan and map may be changed or modified. The drainage plans shall be subject to approval of the Public Works Department for compliance with such plan.

(b) Permit to construct or alter drainage ways. No individual, partnership, or corporation shall construct, deepen, widen, fill, reroute, or alter any existing drainage way, ditch, drain, or canal without first obtaining a written permit from the County's Department of Public Works and/or the County's Department of Environmental Resources Management. Plans for all such work shall comply with the manual of public works construction of the County's Public Works Department, and all such work shall be done under the supervision and subject to the approval of the County's Department of Public Works and/or the County's Department of Environmental Resources Management. Rights-of-way for all such drainage works and maintenance thereof as prescribed by the manual of public works and construction and the County water control plan, must be dedicated to the use of the public, such dedication to be made prior to any such construction or alteration if so required by the County's Public Works Department and/or the County's Department of Environmental Resources Management.

(c) Rights-of-way and easements. Whenever any drainage way, stream, or surface drainage course is located or planned in any area that is being subdivided, the subdivider shall dedicate such stream or drainage course and an adequate right-of-way necessary for maintenance, future expansion and other purposes along each side of such stream or drainage course as is determined by uniform standards prescribed by the manual of public works construction.

(d) Storm water. Adequate provision shall be made for the disposal of storm water subject to standards prescribed in the manual of public works construction.

Miami-Dade County Code of Ordinances, regulations, and CDMP provides the needed authority for a number of departments under the County umbrella to establish, construct, maintain, operate and permit stormwater facilities and drainage systems within incorporated and unincorporated Miami-Dade County boundary.

The stormwater collection and conveyance system within Miami-Dade County can be defined as:

1) Primary conveyance system owned and operated by South Florida Water Management District (SFWMD); The Miami and Homestead Field Stations are responsible for the infrastructure which consist of canals, levees and berms, water control structures and pump stations.
2) Secondary conveyance system which discharges into the SFWMD's primary canal system; The County's Road, Bridge and Canal Division is responsible for maintaining the County's approximately 168 miles of secondary canals.
3) Tertiary Collection and storage system; this consist of lakes, canals, storm sewer collection systems, control structure and French drain (exfiltration systems). The tertiary system ownership, maintenance and operation can be by private entities (Homeowner Association or Community Development District) or public entities (Florida Department of Transportation, Public Works or Municipality).

Any facility of significance owned and operated by the County located in a Communities of Interest (COI) to be incorporated or annexed into an existing municipality should not be removed from the County's jurisdiction unless the County allows for such transfer in accordance to the Code of Ordinances. It is recommended that a comprehensive analysis of such facilities be completed prior to annexation and or incorporation to include hydraulic and hydrologic analysis and a complete facilities survey. Final transfer of infrastructure should be required to include comprehensive plan and code language which is at least as restrictive if not more restrictive than current county requirements.

5.4 – MECHANISM FOR APPLICATION AND CHANGES TO COUNTY CODE

It is recommended by the Consultant based on the County Charter and Comprehensive Plan that the Board amend the County Code to add the following changes.

- **Regarding wellfields, aquifers and provision of potable water: it is recommended that the annexing entity make an affirmative statement in the annexation application to the Board that it agrees with and will governed by the special regulations outlined in County Code 24 as it pertains to "special groundwater protection."**
- **Regarding wellfields, aquifers and provision of potable water and incorporation: the new entity needs to incorporate into its charter that it acknowledges and will be consistent with the County Code 24 for development and land used for those areas. Regarding Water and Wastewater facilities, it is recommended that any new incorporation or annexation specify that the following facilities remain under County jurisdiction and operation.**
    - **Any and all regional facilities including but not limited to:**
        - **Alexander Orr Water Treatment Plan**

    - **South District Waste Water Treatment Plan**
    - **South Miami Heights Water Treatment Plan (Under Construction)**
- **Existing and proposed Elevated Tanks.**
- **Existing and proposed Regional Pump Stations.**
- **Existing and proposed Water Main transmission system identified by WASD as part of their regional infrastructure.**
- **Existing and proposed force main collection system identified by WASD as part of their regional infrastructure.**
- **Existing and proposed sanitary sewer collection system identified by WASD as part of their regional infrastructure.**

SECTION 6
FISCAL ANALYSIS

6.1 - MINIMUM SIZE OF NEW MUNICIPALITIES

The purpose of this analysis is to determine if Miami-Dade County should impose a minimum population size for any new municipalities established under the Municipal Advisory Committee (MAC) procedure. The MACs are formed to study the potential of forming a municipality within a proscribed area of unincorporated Miami-Dade County. MACS are established by the Board of County Commissioners following receipt of consent forms from at least 20% of resident electors.

Research Review

Several studies sponsored by various States have been supplemented by analyses conducted by Research Organizations. This literature search was designed to determine if any specific analysis has been conducted regarding the appropriate size of a new municipality. Sources include:

- State of Florida Municipal Formation Manual
- Maryland Municipal League
- Municipal Association of South Carolina
- National Bureau of Economic Research
- Tennessee Municipal League
- University of North Carolina Chapel Hill
- Urban Land Institute
- State of Washington

Most of the literature from public agencies addresses the steps to take to form a municipality and does not address the minimum size issue. Some of the literature from non-public organizations does provide an analysis of size. However, this analysis revolves around market conditions for housing. The only public agency document that addresses size is the Municipal Formation Manual in Florida.

Analysis of Minimum Size

State Law

The Florida Municipal Formation Manual sets broad minimum standards for new municipalities. Reference is made to Section 165.061 of the Florida Statutes which determines that the new municipality must:

> *"Have a total population, as determined in the latest official state census, special census or estimate of population, of at least 1,500 persons in counties with a population of less than 75,000, and of at least 5,000 persons in counties with a population of more than 75,000. "*

This standard does not consider the very urban counties such as Miami-Dade which are substantially larger than the 75,000 figure. The two tier designation is not appropriate and should be modified into a three tier analysis.

A review of the population figures by county in Florida reveals that there is a significant distinction among the jurisdictions. There are 30 counties with populations below 75,000 with an average population of just under 31,000 people. In addition, there are 32 counties that have a population between 75,000 and 1 million with an average population of 326,000. The five largest counties range in population of 1.25 million to over 2.6 million (Miami-Dade). The average for these largest counties is 1.68 million. Including these counties in the "over 75,000" category is not reasonable.

Using a simple mathematical calculation, the smallest counties (under 75,000) must have approximately 5% of the total county population in an area to form a new municipality. For the medium size counties, the minimum population must be approximately 1.5% of the total county population. In keeping with that trend of a reduction in the percentage of the total county population required to form a new municipality, an estimate of .5% of the population of the larger counties is required to form a new municipality. For Miami-Dade County this figure is just over 13,000. This figure is rounded to 15,000.

Local Experience

The existing municipalities in Miami-Dade County were examined to determine if there is a correlation between the size of the municipality (population) and the Ad Valorem Rate imposed in the jurisdiction. Population figures and millage rates were obtained from the budget documents of each municipality.

The municipalities in Miami-Dade County were placed in an array with the population figures and the millage rate identified. The municipalities were grouped into four categories based on the size of the population.

- Under 15,000
- Between 15,000 and 40,000
- Between 40,000 and 80,000
- Over 80,000

An average millage rates for each grouping was determined to identify any trends. There are outliers within each category. However, the trends indicate a general correlation. The results of the analysis are as follows:

TABLE 6-1
MILLAGE RATES BY CITY SIZE

Category	Number of Municipalities	Average Millage Rate
Under 15,000	17	6.17
Between 15,000 and 40,000	7	3.58
Between 40,000 and 80,000	6	5.23
Over 80,000	4	7.52
Total	34	5.63

Sources: PMG Associates, June 2015, Miami-Dade Property Appraiser, US Census

Based on the previous table, the Consultant has determined that there could be a concern for a new municipality that is too small in population. The smallest municipalities in Miami-Dade County do not have the Tax Base to support municipal operations and tend to have higher millage rates. In addition, there are three municipalities in the category with low millage rates. If these outliers were removed, the average rate for the group would approach 7 mills.

Larger municipalities often decide to provide more extensive services to residents of the jurisdiction. If additional services such as Social Services, Housing Assistance and other public interests are provided, the millage rate is likely to increase. The larger municipalities are not obligated to provide these services, under law, but may elect to do so upon encouragement of their citizens.

6.2 - ALLOCATION OF COUNTY DEBT

The County Debt allocated to the UMSA area is secured with Utility Tax revenue based on information from OMB. This source has been pledged to support the QNIP or special revenue bond issues authorized for public improvements within the UMSA. The allocation of this debt to areas that elect to incorporate (MACs) is based on a percentage of the total revenue generated by these areas. The new municipality will then be responsible for an annual payment to offset this pro-rata Debt Service.

For municipalities annexing properties, OMB acknowledges that there are two options for allocation of the Debt Service for general infrastructure improvements. The first approach, taken by Miami-Dade County, is that the retention of the Utility Taxes and Franchise Fees by the County as reimbursement for the debt. An alternative method exists where the annexing municipality remits an annual payment based on a ratio of revenue to debt service of the property annexed.

Stormwater Facilities, County Code does require repayment.

> Sec. 20-8.5. Annexing Municipality's Responsibilities for Bond Indebtedness.
>
> Any changes in the boundaries of a municipality involving the annexation of unincorporated areas of the County shall be effective only upon the condition that such municipality shall be responsible for (i) its pro-rata share of any County debt outstanding for the area annexed at the time of the annexation; and with respect to any municipality that is part of the Stormwater Utility, debt outstanding for the area annexed at the time the municipality elects to be separated from the Stormwater Utility through an interlocal agreement or by exemption and (ii) its pro-rata share of any refunding of such debt. The municipality's annual pro-rata share of debt service for the annexed area shall be determined by multiplying the total debt service on the outstanding debt in each Fiscal Year by the municipality's percentage share of pledged revenues (revenues pledged by the County to the repayment of the debt). The municipality's percentage share shall be determined by dividing the pledged revenues collected within the annexed area during the County's Fiscal Year in which annexation is executed, and with respect to the

Stormwater Utility in the Fiscal Year in which the municipality elects to separate from the Stormwater Utility district; by the total pledged revenues collected in that same Fiscal Year. It is further provided that the annexation shall be effective only upon the condition that the County continues to collect and distribute the pledged revenues in a manner that is consistent with the requirements of the debt. The requirements of this section shall be the subject of an interlocal agreement between the County and the annexing municipality that shall be adopted by the annexing municipality prior to the County Commission's adoption of any ordinance authorizing a boundary change.

6.2.1 Alternative to Retention of Utility Taxes and Franchise Fees

An alternative method could be employed that allows the municipalities to retain the Utility Taxes and Franchise Fees. This method would require the municipality to remit a payment to the County equal to the debt service allocated to the area annexed by the municipality. However, this method is cumbersome to implement and will not afford either party a substantial monetary improvement.

6.3 - LOW INCOME AREAS

A definition of Low Income Areas developed by the Consultant for this study, are those communities that do not generate sufficient revenue to offset the cost necessary to serve the residents. Typically referred to as "Recipient Communities", these areas often have economic and social issues that must be addressed to provide a proper "Quality of Life".

6.3.1 Provision of Services

The level of service provided within the UMSA area is the same regardless of the income producing level of the community. There is no distinction between service levels in any area of the County. Where specific needs arise, Charettes and other planning initiatives have been designated for individual communities.

The County Commission continues to provide services throughout UMSA based on a consistent level of service and assessment of community needs.

6.3.2 – Community Redevelopment Areas (CRA)

The Board has established CRAs in several communities in the UMSA area. The CRA is established to analyze the needs of the community and provide a mechanism to funds the necessary improvements. Currently there are four CRAs in the UMSA area with funding provided by the Board through Tax Increment Financing (TIF). The entities and funding available for improvements are:

TABLE 6-2
RESERVE FUNDS AVAILABLE TO CRAS

CRA	Reserve Funds Available
Naranja Lakes (currently considering expansion)	$2 million
7th Avenue (recently expanded)	$1.1 million
79th Street	$1,259
West Perrine	$273,787

Source: Miami-Dade County Office of Management and Budget

Naranja Lakes CRA

West Perrine CRA

79th Street CRA

7th Avenue CRA

In addition, there are three other potential CRAs under consideration. These entities have not been approved by the Board as they are still under review. These entities include the MetroZoo area, West Dade and Richmond Heights.

Potential MetroZoo CRA

Potential West Dade CRA

Potential Richmond Heights CRA

Should any of these CRAs, existing or potential, be included in an annexation or incorporation proposal, a decision regarding the disposition of the CRA and the Fund Reserves must be made by the Commission. The CRAs have been established as dependent districts of the County. If the CRA district, or part thereof, is included in an annexation application, the Board must develop a policy to address this condition.

There are several options available to the Board;

- Continue to operate the CRA as originally constituted
- Sunset the CRA and assist any new municipality to reestablish the CRA
- Turn over the funds available in Reserve to the new CRA for implementation of the Redevelopment Plan

The four existing CRAs are all located within the boundaries of a MAC and have a potential for incorporation.

- 79Th Street is within the North Central MAC.
- 7th Avenue is partially within the North Central MAC and the northernmost portion is in the Biscayne Gardens MAC
- West Perrine is within the South A MAC
- Naranja Lakes is within the South B MAC

These CRAs were established due to the determination that significant needs existed within the communities. The Trust Funds are also established with the purpose of addressing those needs. The most effective mechanism to correct the conditions of "slum" and "blight" is for the County to continue to operate the CRAs as originally constituted. However, since each CRA is distinct, the final disposition of the district must be addressed on a case-by-case basis.

6.3.3 – Methods to address Low-Income areas

There are three specific methods to prevent low-income areas from being excluded from the creation of new municipalities or annexations to existing municipalities. These methods include:

1. Insure that any consideration of a MAC includes any low-income area that is adjacent to the principal area of the MAC. Any application that excludes these areas must be amended to consider the low-income communities.
2. If an annexation application addresses a high-income area, the application must address any low-income areas adjacent to the annexing municipality.
3. Provide Franchise Fees and Utility Taxes to any municipality annexing a low-income area.

The analysis of these options is as follows.

1. The current policy of restricting a MAC boundary so that it is entirely within a Commission District must be revised to allow cross-district MACs. In this way, any low-income area cannot be excluded from a MAC because the area is outside of the primary Commission District. The establishment of a MAC must consider the areas surrounding the primary study area to insure that no low-income area is excluded.

2. Many annexation applications focus on high-income areas since the annexing municipality is interested in increasing revenue generated. If possible, the annexing

municipality must be required to identify the income status of the area to be considered. In addition, any low-income area that is also adjacent to the annexing municipality must be considered for annexation.

3. Providing Franchise Fees and Utility Taxes to Municipalities annexing Low-Income Areas will enable the annexing municipality to offset the costs of providing service to the residents and property owners. This option of allowing the annexing municipality to retain the Franchise Fees and Utility Taxes will require the repayment of a pro rata share of the UMSA debt service. This method to insure that low-income areas are included in any future annexation plans would provide additional funding to those municipalities. There is some justification for this position in that the low-income areas typically do not generate sufficient revenue to justify annexation.

6.4 -ESTIMATED REVENUE AND EXPENDITURES BY COMMUNITY OF INTEREST

To evaluate the methodology used by the County Office of Management and Budget (OMB) to determine the UMSA Budget, a discussion with the Director and staff was conducted. OMB derives the budget by examining each department and the amount of service provided to UMSA. The Police Department, for example was allocated based on the calls for service in each municipality served or the unincorporated area. Other departments were allocated in the same manner.

This detailed analysis generates a reasonable allocation of the entire County Budget to UMSA, the County-wide General Fund and to Internal Service or Enterprise Funds of the County.

Revenue and Expenditure estimates for each Community of Interest were developed using an allocation of the total Revenue and Expenditure figures presented in the County Budget for the UMSA area.

The expenditure figure for each department was distributed on a pro rate basis for each of the COIs individually.

Revenue includes Ad Valorem Taxes based on the total Taxable Value for each COI as determined by the Miami-Dade County Property Appraiser. Other revenues (Utility Taxes, Franchise Fees, State Shared Revenues, etc.) were estimated based on a combination of Population (25%) and Taxable Value (75%). Under this allocation method, 25% of the total amount for each revenue category (as expressed in the UMSA Budget) was distributed based on population. The remainder was distributed to the COIs based on Taxable Value.

Based on the allocation of the Revenue and Expenditures several of the Communities of Interest indicate that they are "Donor" communities (generate more Revenue that the cost to serve the area). Other Communities of Interest are "Recipient" communities with higher expenses than revenues generated. (Expressed in the following table by figures in the Net column in red)

TABLE 6-3
SUMMARY OF REVENUE AND EXPENDITURES BY COMMUNITY OF INTEREST

COI	Revenues	Expenditures	Net Surplus or Deficit
1	$7,437,658	$6,671,657	$766,001
2	$7,882,463	$9,247,275	($1,364,812)
3	$1,531,661	$1,810,396	($278,734)
4	$147,178	$212,747	($65,570)
5	$8,992,878	$11,954,700	($2,961,821)
6	$148,010	$220,544	($72,534)
7	$27,351,485	$33,209,397	($5,857,912)
8	$97,537	$56,064	$41,473
9	$634,484	$803,836	($169,352)
10	$1,668,338	$0	$1,668,338
11	$3,065,878	$2,965,469	$100,409
12	$1,529,736	$2,099,257	($569,521)
13	$587,971	$536,881	$51,090
14	$2,305,613	$3,397,276	($1,091,663)
15	$20,533,127	$26,291,577	($5,758,450)
16	$3,885,702	$5,174,999	($1,289,296)
17	$2,157,186	$1,704,207	$452,979
18	$6,554,788	$799,010	$5,755,779
19	$3,753,472	$46,782	$3,706,690
20	$1,121,190	$1,034,034	$87,156
21	$20,934,797	$21,487,494	($552,697)
22	$19,212,520	$20,316,826	($1,104,307)
23	$32,070,894	$31,814,843	$256,051
24	$21,205,355	$17,560,020	$3,645,335
25	$14,783,171	$14,771,283	$11,888
26	$3,554,198	$1,176,980	$2,377,218
27	$12,252,927	$6,680,196	$5,572,731
28	$78,075,486	$84,348,987	($6,273,501)
29	$10,548,875	$7,699,379	$2,849,496
30	$24,525,897	$24,452,592	$73,305
31	$19,108,458	$24,733,657	($5,625,199)
32	$23,598,374	$30,451,477	($6,853,103)
33	$2,516,469	$2,803,217	($286,748)
34	$1,253,349	$1,623,638	($370,289)
35	$131,975	$212,747	($80,772)
Outside UDB	$32,450,218	$13,606,556	$18,843,663
Total	$417,609,319	$411,976,000	$5,633,319

Source: PMG Associates, June 2015

6.5 - IMPACTS ON REVENUE AND EXPENDITURES TO THE COUNTY

6.5.1 - County Employees

Miami-Dade County employs a total of 25,427 (as per the FY 2015 Budget) people throughout the various departments, funds and the functions or services provided. No allocation of the personnel to UMSA is available since most of the employees perform both County-wide General Fund and UMSA duties.

One of the most significant allocation of personnel to UMSA is through the Construction, Permitting and Building Code section of the Regulatory and Economic Resources Department of the County with 309 employees. This personnel group is responsible for issuing permits, inspection and code enforcement duties in the UMSA area. If full incorporation is achieved, this allocation of personnel will be eliminated. However, the section generally is funded based on fees received. Under State law, local entities cannot charge fees that are in excess of the expenditures for the services rendered. The funding for this function is generally a break even proposition. Any loss in revenue based on elimination of this function will be matched by a loss in expenditures.

Reduction of the other County employees based on annexation and incorporation will be limited since the Consultant has estimated that only 396 non-Police and non-Construction, Permitting and Building Code employees are assigned to UMSA. The General Administrative and Financial Services will not evidence any reduction in staff. Parks and Recreation will see a minimal reduction in staff since the Local Parks costs are only 2% of the departmental total. The identification of the total employees in each department was derived from the County Budget for FY 2015. The allocation to UMSA was based on the percentage of the budget allocated for County-wide General Fund, UMSA and Proprietary Fund purposes.

The only substantial reduction in employees and costs are in the Police Services. Two scenarios will exist under the concept of annexation or incorporation; either the area will be patrolled by the Police Department of the annexing municipality; or the Miami-Dade Police Department will contract with a new municipality to provide police services. Under the provisions of the County Code, the incorporating municipality must continue to contract with the Miami-Dade Police Department for a period of not less than three years. A trend throughout Florida is that smaller municipalities find it more fiscally responsible to contract the police services. It is likely that the new municipalities will continue the contract with Miami-Dade Police rather than trying to establish their own Police Departments.

For this analysis, the Police UMSA Budget will be reduced proportionately when areas are annexed or incorporated, since the allocation to UMSA is based on the responses for service that are not reimbursed by contract.

6.5.2 – Fiscal Impact

When determining the impact of annexation or incorporation on the UMSA budget, the conditions of the areas concerned (in revenue generated or cost to serve) are a major factor. If the annexation or incorporation includes the "Donor" communities, the fiscal impact would likely be negative to the UMSA budget.

Estimating the fiscal impacts of the Incorporation and Annexation efforts is extremely difficult since it is not possible to know which incorporation initiatives or annexation applications will be approved. To provide an analysis of the impacts several scenarios were examined to determine the overall impact on UMSA and the overall County Budget. In one scenario only a small portion of the unincorporated area was annexed or incorporated (10% measured by Taxable Value). The other scenario includes full incorporation of UMSA (inside the UDB).

The 10% Alternative generally equates to one-half of the current annexation applications and incorporation initiatives. If approved, these actions will remove approximately 10% (measured by Taxable Value) of the unincorporated area from UMSA.

The reduction in Revenue was calculated based on the allocation of these figures for each COI. However, for Utility Taxes and Franchise Fees, the revenue generated within annexation areas is retained by the County.

A reduction in County Expenditures will also occur under the 10% Alternative. This figure is determined through an allocation of the non-managerial costs to the areas incorporated or annexed.

The reduction in Financial Position must be recouped by increasing the tax rate for UMSA. This increase is estimated to be .11 mills for the 10% Alternative.

Under the scenario of full incorporation, UMSA would lose most of its revenue (other than Utility Taxes and Franchise Fees retained under annexations). There will not be an equal reduction in expenditures generating additional financial pressure on the County-wide General Fund. The estimates are a loss of Financial Position of $78.3 million annually that must be replaced by increasing the Ad Valorem Rate by .372 mills.

A summary of the impacts of the 10% Alternative and the full incorporation follow:

<u>10% Alternative</u>:

- Approximately one-half would be annexations and the remainder incorporations
- Net loss of revenue of approximately $35 million (10% of total less Franchise Fees and Utility Taxes from annexed areas)
- Decrease in non-reimbursed expenditures of $31.4 million (Police, RER and local Parks)
- Net reduction in Financial Position of $3.6 million
- Funding to be recouped by increase in UMSA rate of .11 mills, or 5.7%

100% Alternative (inside the UDB)

- Most of the existing UMSA area would be incorporated through the MACs
- UMSA Budget items transferred to the County-wide General Fund (Administration, Internal Services and Support Services for departments other than Police) $87.5 million
- Retention of Franchise Fees and Utility Taxes for annexed areas $9.2 million
- Net cost transferred to County-wide General Fund $78.3 million
- Funding to be recouped by increase in the County-wide millage rate of .372 mills, or 8.0%

Interim percentages of incorporation/annexation

The analysis found above provides a quantitative measure of the fiscal impact of Incorporation and Annexation. The analysis focuses on a limited amount of Incorporation/Annexation (10% Alternative) or full Incorporation of the UMSA area (100% Alternative). To assess the impact of varying levels of Incorporation/Annexation, a graduated fiscal impact is presented. The following table provides a measure of the negative impact on the UMSA/County-wide General Fund Budgets.

As previously noted, at some point, the UMSA Budget would be eliminated and the Revenue and Expenditures will be absorbed by the County-wide General Fund. The time frame for this shift is not known, at this time. However, for this analysis, it is assumed that the County-wide General Fund will not absorb all of the fiscal impacts until the County inside the UDB is 100% incorporated. The purpose of this assumption is that it is not equitable to require taxpayers living in a municipality to subsidize the taxpayers living in the unincorporated area.

TABLE 6-4
CUMULATIVE FISCAL IMPACTS OF INCORPORATION/ANNEXATION ON COUNTY

Percentage of UMSA Incorporated or Annexed	Reduction in County Financial Position	UMSA Rate Increase mills	Percentage of Increase
10%	$ 3.6 million	0.110	5.7%
20%	$11.9 million	0.364	18.8%
30%	$20.2 million	0.617	32.0%
40%	$28.5 million	0.871	45.1%
50%	$36.8 million	1.124	58.3%
60%	$45.1 million	1.378	71.4%
70%	$53.4 million	1.632	85.6%
80%	$61.7 million	1.885	97.7%
90%	$70.0 million	2.139	110.8%
Percentage of UMSA Incorporated or Annexed	**Reduction in County Financial Position**	**County-wide Rate Increase mills**	**Percentage of Increase**
100%	$78.3 million	0.372	8%

Source: PMG Associates, June 2015

6.5.3 Fiscal Impact of Incorporation/Annexation of each COI

The Revenue and Expenditure figures from Table 6-3 were used to estimate the impact of each COI should they Incorporate or be Annexed. The Revenue figures were adjusted to account for the funds retained by the County (Business License Tax for Incorporations and Utility Taxes and Franchise Fees for the Annexations). Expenditures were reduced based on an estimate that the County would only be able to reduce 78.8% of the costs to serve the UMSA area. The remainder must be absorbed by the County-wide General Fund.

Table 6-3 provides the analysis for each COI taken independently. Enclaves were not considered in this analysis since they have alternative other than annexation. The fiscal impact of the enclaves, grouped together, are presented later.

Seven of the COIs (highlighted in green in Table 6-3) provide a net saving to the County, should they incorporate or annex. The remaining 18 COIs will generate a reduction in financial position to UMSA should they incorporate or annex.

TABLE 6-5
FISCAL IMPACT OF EACH COI (NON ENCLAVE) ON UMSA BUDGET

COI	Name	Revenue Lost	Reduction in Expenditures	Net Loss (or Gain) to UMSA
1	NE MAC Area	$7,351,764	$5,257,265	$2,094,498
2	Ives Estates CDP/Norland	$7,789,320	$7,286,852	$502,467
5	Biscayne Gardens	$8,886,507	$9,420,303	-$533,796
7	Palm Springs North/Country Club CDPs	$27,087,511	$26,169,005	$918,506
10	Industrial area West of Medley	$1,661,631	$0	$1,661,631
15	North Central MAC	$20,341,959	$20,717,763	-$375,804
16	South section of Brownsville CDP	$3,843,516	$4,077,899	-$234,383
17	Upper River	$2,137,455	$1,342,915	$794,540
18	Industrial area west of MIA	$6,472,544	$629,620	$5,842,924
19	Fisher Island	$2,679,856	$36,864	$2,642,992
21	Fountainebleau CDP	$20,703,944	$16,932,145	$3,771,799
22	University Park/Westchester CDPs	$18,966,635	$16,009,659	$2,956,976
23	Tamiami CDP	$31,777,995	$25,070,096	$6,707,899
24	Coral Terrace/Glenvar Heights CDPs	$20,946,305	$13,837,296	$7,109,009
25	Westwood Lakes/Olympia Heights CDPs	$14,616,857	$11,639,771	$2,977,086
26	High Pines	$2,569,749	$927,460	$1,642,289
27	East Kendall	$12,126,597	$5,263,995	$6,862,603
28	Crossings/Hammocks/Kendall West and Kendal Lakes CDPs	$77,326,570	$66,467,001	$10,859,568
29	Kendall CDP	$10,450,620	$6,067,111	$4,383,509
30	Three Lakes/Country Walk/Richmond West CDPs	$24,304,488	$19,268,643	$5,035,845
31	Richmond Heights/Palmetto Estates/West Perrine/South Miami Heights CDPs	$18,884,782	$19,490,121	-$605,339
32	Leisure City/Naranja/Princeton/Goulds CDPs	$23,343,725	$23,995,764	-$652,039
33	Redlands	$2,489,365	$2,208,935	$280,430
34	West of Florida City	$942,936	$1,279,427	-$336,491
35	South of Florida City	$100,657	$167,645	-$66,988

Source: PMG Associates, June 2015

6.5.4 Fiscal Impact of Annexation of Enclaves

The enclaves cannot be incorporated since they are too small to support a functioning municipality. These areas are also more difficult to serve since they are removed from the majority of the UMSA area. If the 10 enclaves are annexed, the County will have a net savings of $2 million annually from the UMSA Budget.

Fiscal Feasibility

One of the most significant questions in this process is the analysis of the fiscal feasibility of the entire Incorporation/Annexation Plan. If the County decides to pursue full incorporation of the UMSA area, that process would require a significant period of time to accomplish. The financial implications would also vary during this process.

This Study prepared an analysis of the fiscal impacts for a small amount of Incorporations and Annexations (assumed to be 10% of the current unincorporated portion of the County) and the full incorporation as expressed in the origination of this study. The fiscal impacts vary significantly based on the final scenario. The small amount of Incorporations and Annexations was estimated at 10% of the unincorporated area and represents roughly one-half of the current applications for annexation and MAC initiatives. No specific application or initiatives are assumed to be approved, at this time.

Under the limited incorporation and/or annexation scenario, the fiscal impact is minimal. The revenue lost to the County would generally be offset with a reduction in expenditures. If any increase in the UMSA Tax Rate is required, the amount would be minor (.11 mills) and not impact the operation of UMSA significantly.

Under the scenario where full incorporation is achieved, UMSA will evidence significant changes. We cannot anticipate the UMSA will completely disappear since the area outside of the UDB must continue to be served. UMSA, or a similar entity, must be in place. The loss of the unincorporated area inside of the UDB will not result in a complete elimination of the budgetary pressures. Some of the functions must continue (even if at a lowered level of service) and these expenditures may be transferred to the County-wide General Fund. That decrease in revenue will not be matched by a decrease in expenditures generating a millage rate increase of approximately 8%.

Based on the facts outlined above, the conclusion is reached that a small amount of incorporation or annexation (approximately 10% of the current unincorporated area) is fiscally feasible. Full scale incorporation is marginally feasible since a county-wide tax increase of 8% results.

The analysis found in Table 6-4 illustrates the fiscal impacts on the UMSA Budget should increasing percentages of the unincorporated area either form their municipality or become annexed. The table shows that as the amount of incorporation increases, the fiscal pressure on UMSA becomes significant, causing an increase in the millage rate. At some level (possibly 30%), incorporation or annexation becomes more attractive to the residents of the UMSA area. The exact level where the UMSA resident desires incorporation or annexation is based on their own personal opinions.

Elimination of UMSA

The option of full incorporation of the County has the underlying implication that UMSA will no longer be in existence. The reality is that it is not possible to annex the entirety of the UMSA area. One of the key recommendations of this report is that there will be no incorporations or annexations outside of the UDB. This recommendation is based on the fact that much of the area outside of the UDB is not reasonably suitable for incorporation or annexation. If the area inside of the UDB becomes fully incorporated, the unincorporated area operation will be significantly reduced, but still remain. Due to these conditions, the County Commission must continue to provide municipal governance for this area. If the UDB boundary is extended in the future, the newly added developable area should be annexed into the adjacent municipality.

6.6 - MECHANISM FOR APPLICATION AND CHANGES TO COUNTY CODE

It is recommended that the Board amend the County Code to add the following changes.

- **Adopt a minimum size of 15,000 population for the establishment of a new municipality and make Code changes to implement this recommendation**
- **Establish a process to continue the County operation of the CRAs or to transfer the assets to a CRA established in the municipality**
- **Insure that low-income areas are addressed through:**
    - **Require an annexing municipality to offset the annexation of a high-income area with the annexation of a low-income area, if possible**
    - **Any MAC established cannot exclude any low-income area that is adjacent to its boundaries**
    - **No enclaves can be permitted with incorporation or annexation, particularly where the area is a low-income community**

SECTION 7
CHANGES TO THE PROCESS

7.1 - ANNEXATION APPLICATIONS

7.1.1 - Current Procedure

The requirements of a municipality to submit an application for annexation is contained in Chapter 20, Article I of the County Code. A report must be submitted which defines the request and how the municipality intends to provide services to the citizens and property owners of the area. The final arbiter of the application is the Board, who has approval power under the County Charter. The section of the Code that applies to this situation is as follows:

Sec. 20-3. Initiated by governing body of municipality.

Any proposed boundary change desired by the governing body of a municipality shall be initiated by resolution of such governing body adopted after a public hearing held pursuant to written notice mailed to all owners of property within the area and within six hundred (600) feet thereof in such proposed boundary changes, according to the current tax assessment roll, and pursuant to published notice; provided, however, that no notice shall be required when all owners of property within the area and within six hundred (600) feet thereof shall consent in writing to the proposed boundary change. The cost of such notice shall be paid by the governing body of the municipality. Three (3) duly certified copies of such resolution requesting the proposed boundary changes, together with proof of compliance with the notice requirements aforesaid, shall be filed with the Clerk of the County Commission, and shall be accompanied by the following:

(A) An accurate legal description of the lands or land area involved in such proposed boundary change.

(B) A map or survey sketch accurately showing the location of the area involved, the existing boundaries of the municipality or municipalities affected, and indicating the relation of the area involved to the existing municipal boundaries.

(C) 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.

(D) A brief statement setting forth the grounds or reasons for the proposed boundary changes.

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

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

(1) *Land use plan and zoning.* The municipality shall present a general land use plan and a map showing proposed zoning for the subject area which, if annexed, will be enacted by the municipality. This information shall be submitted regardless of size of area or state of existing development.

(2) *List of services to be provided.* In this section the municipality shall describe in detail the character and amount of services which the municipality would provide to the area if annexed. The discussion of service levels shall take into account not only existing development but changes in the character and extent of development which may be reasonably anticipated in the near future based on the land use plan and zoning for the area as submitted by the municipality in accordance with (1) above. The statements pertaining to the various services shall be set forth under the headings listed below. The character and amount of services now being received in the area sought for annexation shall be set forth for comparative purposes.

(a) Police protection.
(b) Fire protection.
(c) Water supply and distribution.
(d) Facilities for the collection and treatment of sewage.
(e) Garbage and refuse collection and disposal.
(f) Street lighting.
(g) Street construction and maintenance.
(h) Park and recreation facilities and services.
(i) Building inspection.
(j) Zoning administration.
(k) Local planning services.
(l) Special services not listed above.
(m) General government.

(3) *Timetable for supplying the services listed above.* For each of the services listed the time schedule for the provision of that service shall be set forth. The timetable shall be in terms of how soon after the annexation ordinance is finally adopted will the service be provided. If changes in the character and extent of the development in the area can reasonably be anticipated, these changes shall be taken into account in the proposed timetable.

(4) *Financing of the services listed above.* For each of the services listed above, estimates of the costs of providing, maintaining and operating the service shall be set forth along with the methods used in making the estimates. The sources of funds which the municipality would utilize in providing, maintaining and operating the services listed shall be stated for each service and the effect this will have on the remainder of the municipality shall be analyzed.

(5) *The tax load on the area to be annexed.* This section of the report shall discuss in narrative form, including estimated figures, the direct and indirect tax revenue from the area sought for annexation after annexation compared with the current period before annexation. Particularly this section shall clearly and concisely appraise the tax impact on the property owners and others residing and/or doing business in the area, and on those residing and/or doing business within the municipality. Methods utilized in making estimates contained in this section shall be fully and clearly set forth.

(6) *Identification of any areas designated as terminals in the County's Adopted Land Use Plan Map ("terminals").* The municipality shall set forth the following information in its annexation petition or shall supplement its annexation petition, if such petition is pending as of the effective date of this ordinance:

a. The reason that any area designated terminals and areas located within one-half (½) mile surrounding any area designated terminals ("surrounding areas") should be annexed to the municipality;

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

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;

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

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.

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

(H) A petition filed with the Clerk of the County Commission indicating the consent of twenty (20) percent of the electors in the area proposed for annexation provided however, no petition shall be required where the

property proposed for annexation is vacant or where there are two hundred fifty (250) or less resident electors.

The application must be submitted to the County where staff conducts a review and prepares an analysis. The application is then heard by the Planning Advisory Board, which makes a recommendation to the Board. Approval is granted at the Board level.

7.1.2 – Proposed Changes to the Process

The County has maintained authority over three significant aspects of planning and the environmental issues. These functions are:

- Minimum density standards for Transit Nodes and Urban Centers
- Retention of Covenants that have been issued while the property is unincorporated
- Environmental issues including Wellfield Protection and Environmentally Sensitive Properties

In section 20-3, F(6) the annexing municipality must provide information regarding the inclusion of areas designated as "terminals" in the County's Land Use Element. This section does not specify the treatment of the "terminal" areas and also does not specify the Transit Nodes as defined in the Land Use Plan. The Land Use Plan specifies minimum densities in the Transit Nodes to insure that demand for transit is kept at a sufficient level to justify the Mass Transit Service.

Urban Centers are also designated in the Land Use Plan as concentrations of commercial and employment activity. The development of specific centers for these purposes is an integral part of the Plan.

The County Code also defines Wellfield Protections Areas with emphasis on the Northwest Wellfield. In addition, environmentally sensitive areas exist throughout the County. Although the County Code addresses these issues, there is no formal mechanism to include these provisions in any annexation agreement.

Our recommendation is to add an item in Section 20-3 for the annexing municipality to include in their annexation application an affirmative statement that they would abide by County minimum standards regarding Land Use and Protection for Transit Nodes, Urban Centers, Wellfields and Environmentally Sensitive Lands

7.2 - MAC PROCEDURES (INCORPORATION)

The process for incorporation of new municipalities in Miami-Dade County is found in Chapter 20, Article II of the County Code. The individual MAC is established based on presentation of a petition by residents or by a request by the County Commissioner who represents the area. A study and proposed budget is prepared by the MAC Board and presented to the public. This presentation is made at a Public Hearing where all residents have the opportunity to express their

opinions. All property owners are mailed information regarding the Public Hearing and the topic to be discussed. The results of the Public Hearing are presented to the Board, who decides if there is enough interest to hold a referendum to go forward with the incorporation. The MAC Board has a period of 24 months to complete the process. This time frame can be extended, if necessary.

This process provides a sufficient amount of review of the potential impacts of the incorporation. However, many of the MAC Boards do not have sufficient background to prepare a proper analysis of the operation of the new municipality and the operating budget. This process has resulted in a long duration of time between the beginning of the evaluation process and a decision by the Board.

The staff of the Office of Management and Budget (OMB) is responsible for facilitating the MAC process. The policy of the department is to not influence the discussion and deliberations of the MAC. The staff would provide some information that would ordinarily not be available to the MAC Board, but leave the development of the budget to them. In addition, the County has a contract with an outside source that reviews the budgets to determine if they are appropriate and include all items, particularly anticipated expenditures.

When establishing a MAC, a specific time frame for completion of the process must be attached. Some of the current MACs have been in existence since 2004 and the process needs to come to an end. Establishment of this specific time frame will also enable the public to reach a conclusion to the issue.

7.2.1 - Preference to the MACS

Based on the principle that the MACS have a special interest to the Board, the Consultant recommends preference be given to the MACS when a conflict occurs between the potential new municipality and the annexation application of an existing municipality.

Several conflicts occur in the current considerations of incorporation and annexation. It is recommended that these conflicts be resolved in favor of the MACS. Any annexation application that includes area that is being analyzed for a MAC must wait until the MAC process is completed. If the MAC does not complete the process and become a new municipality, the area does no incorporate.

The timeliness of the MAC process is also crucial in that these initiatives must be concluded in an appropriate time frame (24 months). An appropriate time frame must be established and followed for the MAC to undertake the analysis and for the residents to make a decision on their future.

7.2.2 - Criteria for Approving a Referendum for a MAC

In addition to the provisions of the County Code, Sections 20-20 through 20-29, the following criteria should be adopted.

1. Report and Budget denotes that the potential incorporation is fiscally feasible. It is recommended that the definition of feasibility is where the proposed Ad Valorem Rate is lower than any of the abutting municipalities, who have indicated interest in annexing the area. (See tax rate table)
2. The MAC area under consideration contains sufficient commercial/industrial/vacant area to retain a sustainable tax base.
3. There is sufficient support from the community based on feedback from the public hearing held by the MAC Board. The MAC must supply the following evidence for the Board to decide if sufficient support exists.
    a. Evidence of notification to the community of the public hearing
    b. A count of those persons attending the public hearing
    c. Reporting of the comments made at the public hearing as well as those received in writing either prior to or after the public hearing

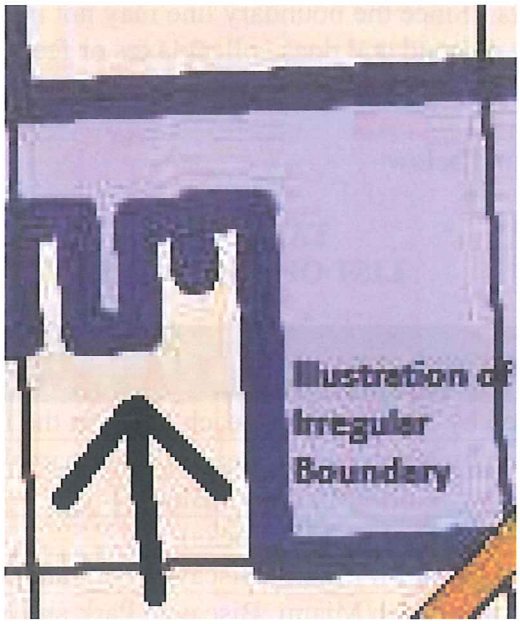
7.3 - ANNEXATION OF SMALL AREAS

Several of the current annexation applications are for small areas that include a few blocks or a single parcel. These applications are always typically commercial in use and provide significant revenue without incurring substantial expenditures. Although, taken separately, these annexations do not have a meaningful impact on the UMSA Budget. However, collectively they could have a far-reaching effect.

It is recommended by the Consultant that these small area annexations be prohibited (although exceptions may occur) and instead, the municipalities be encouraged to annex complete neighborhoods. This policy would eliminate some of the enclaves and irregular boundaries that exist throughout the County. In addition, the revenue collected can be offset with an appropriate amount of expenditures.

Irregular boundaries are defined as those that specifically include or exclude certain parcels, lands, properties or areas resulting in the boundary either jutting into or out of a straight line. Irregular boundaries have been further identified by the Florida Supreme Court in RENE ROMO, et al. v THE FLORIDA HOUSE OF REPRESENTATIVES (2013) where the practice is defined as drawing boundaries that are arbitrary and capricious and generate "bizarrely shaped districts". However, following natural features does not generate irregular boundaries. An example of an irregular boundary is illustrated in Exhibit 7-1.

EXHIBIT 7-1
ILLUSTRATION OF IRREGULAR BOUNDARIES



Source: PMG Associates, Inc.

7.4 - ENCLAVES

An Enclave is defined as *"an area that would be 1) surrounded on more than eighty (80) percent of its boundary by one (1) or more municipalities and 2) of a size that could not be serviced efficiently or effectively"*. (County Code 20-7(A)(1)(c))

The Communities of Interest identified in this study contain 10 areas that are enclaves, and another 2 areas that have irregular boundaries (see definition of irregular boundaries on page 7-6). The State Statues have identified enclaves as a particular problem in delivery of service to citizens and property owners. The legislation is as follows.

> *"171.046 Annexation of enclaves.—*
> *(1) The Legislature recognizes that enclaves can create significant problems in planning, growth management, and service delivery, and therefore declares that it is the policy of the state to eliminate enclaves.*
> *(2) In order to expedite the annexation of enclaves of 10 acres or less into the most appropriate incorporated jurisdiction, based upon existing or proposed service provision arrangements, a municipality may:*
> *(a) Annex an enclave by interlocal agreement with the county having jurisdiction of the enclave; or*
> *(b) Annex an enclave with fewer than 25 registered voters by municipal ordinance when the annexation is approved in a referendum by at least 60 percent of the registered voters who reside in the enclave."*

The enclaves that exist in Miami-Dade County should be addressed to resolve service delivery issues. In some of the enclaves, the municipal police and fire/rescue are called when an emergency or incident occurs. Since the boundary line may not necessarily be clear during these times, the municipality must respond and does collect taxes or fees to offset the expenses.

The listing of enclaves is found below:

TABLE 7-1
LIST OF ENCLAVES

Community of Interest Number	Location
3	Encircled by North Miami Beach (Hole in the Donut)
4	Encircled by North Miami Beach (Small parcels, 10 Blocks)
6	Encircled by North Miami (10 Blocks)
9	Encircled by Hialeah (22 Blocks)
11	Bounded by North Miami, Biscayne Park and Miami Shores
12	Bounded by North Miami, Biscayne Park and Miami Shores
13	Bounded by Miami Shores and Miami
14	East of I-95, west of Miami Shores
20	Bounded by Miami and Coral Gables (Little Gables)
26	Bounded by Coral Gables South Miami and Pinecrest (High Pines, Ponce Davis)

Source: PMG Associates, Inc.

The two Communities of Interest with irregular boundaries (see definition of irregular boundaries on page 7-6) are Number 14 (east of I-95 Bounded by Miami Shores, El Portal and Miami) and Number 24 (west of Coral Gables, south of West Miami and north of South Miami).

7.5 – ADDRESSING THE COMMUNITITES OF INTEREST

The 35 Communities of Interest have been compiled to assess the impacts of incorporation or annexation on the County. They are not designed to be potential new municipalities. However, there are some considerations that are recommended.

The enclaves described in Section 7.4 of this report are too small in population and tax base to be successful as municipalities and should not be considered for MACs. The only option for these areas is possible annexation into a neighboring municipality.

The larger communities of interest should be reviewed in context of the existing and possible future MACs. The limits of the MAC should consider the boundaries of the Community of Interest and not be constrained by the existence of the County Commission District boundary.

7.6 - OPERATION OF UMSA

One of the underlying questions posed for this study is the potential for eliminating all unincorporated area in the County with the entirety of UMSA either annexed or incorporated. This premise cannot be achieved. Instead, the option should be for all unincorporated area, within the UDB, to be considered for annexation or incorporation.

Most of the land in unincorporated Miami-Dade County outside the UDB is agricultural, mining or conservation. These land uses are not compact and do not rely on municipal services. For these reasons, the areas are not suitable for inclusion in municipal entities. Additionally, annexation or incorporation of these properties violates the earlier recommendation of not permitting municipal inclusion of any land outside the UDB.

Since the land outside of the UDB should not be annexed or incorporated and it is not practical to do so, there will always be a segment of Miami-Dade County that is unincorporated. The existing UMSA operation can continue, in some form, or an entire new structure developed. However, the basic purpose of UMSA for the lands outside of the UDB must remain.

7.7 - MECHANISM FOR APPLICATION AND CHANGES TO COUNTY CODE

It is recommended that the Board amend the County Code to add the following changes.

- **Amend the Code regarding annexation to include an affirmative statement in the annexation application that the annexing municipality will accept the County minimum standards regarding Transit Nodes, Urban Centers, and the County regulation for Wellfield Protection and Environmentally Sensitive Areas**
- **Amend the current MAC procedures to provide more assistance early in the process**
- **Adhere to the 24 month time frame for completion of the MAC process**
- **Give preference to the MACs if any land is in conflict between their jurisdiction and any annexation application**
- **Do not allow "Cherry Picking" of small commercial areas, require that an entire neighborhood be considered for annexation**
- **Proceed toward elimination of enclaves**
- **Do not allow for irregular boundaries (see definition of irregular boundaries on page 7-6) in any incorporation or annexation application**

7.8 - CURRENT ANNEXATION APPLICATIONS

Any review of the current annexation applications in this report will be conducted based on the recommendations presented. Other analyses are placed on fiscal and operational considerations and are conducted by other parties. The review here is limited to the issues discussed in this report.

Currently there are thirteen areas considered for annexation. Previously other applications have been filed and the Board has not taken action on these proposals. If any of the municipalities, other than the thirteen instances listed here, wish to proceed with their proposals a new application must be filed.

Current Annexation Proposals are listed here along with consideration based on the recommendations found in this report. Seven criteria were used to evaluate the applications to assess the ability to meet the recommendations in this report. The criteria are:

- The area is entirely within the UDB
- The application avoids "Cherry Picking" with only high revenue areas included
- Existing boundaries are "squared off" eliminating irregular municipal limits (see definition of irregular boundaries on page 7-6)
- Enclaves are eliminated or no new enclaves result from the action
- Existing MAC efforts are preserved
- Existing Communities of Interest or neighborhoods are kept together
- Municipal services cannot be readily provided by other entities

If the response to the criteria for each application is generally positive (no more than two negative responses), the recommendation is that they be approved.

TABLE 7-2
CRITERIA MATRIX FOR CURRENT ANNEXATION PROPOSALS

Municipality	Annex Area	Criteria							Accept
		Entirely inside UDB	Avoids "Cherry picking"	Squares boundaries	Prevents Enclave	Preserves a MAC	Keeps area of interest/neighborhood together	Services can't be rendered by others	
Coral Gables	Davis/Ponce	YES	NO	NO	NO[1]	N/A	NO	NO	NO[2]
North Miami Beach	Windward Enclave	YES	YES	YES	YES[3]	N/A	YES	YES	YES[4]
Florida City	Area "D"	NO	YES	YES	NO	N/A	YES	YES	NO[5]
Florida City	Area "H"	NO	YES	YES	NO	N/A	YES	YES	NO[5]
North Miami	Sunkist Grove	YES	YES	YES	YES	N/A	N/A	NO	YES
North Miami	Biscayne Corridor	YES	NO	NO	NO	N/A	NO	NO	NO
North Miami	Gratigny	YES	YES	YES	YES	N/A	N/A	NO	YES
North Miami	NE 149th Street	YES	YES	YES	YES	N/A	N/A	NO	YES
Hialeah	Hialeah Heights	YES	YES	NO	YES	N/A	YES	YES	YES
Opa locka	Area "A"	YES	YES	NO	YES	N/A	YES	YES	YES
Opa locka	Area "B"	YES	NO	NO	YES	NO	NO	NO	NO[6]
Biscayne Park	East Annexation Area	YES	NO	NO	NO	N/A	NO	NO	NO
Miami Shores	West of Biscayne Boulevard	YES	NO	NO	NO	N/A	NO	NO	NO

Notes:

(1) Generates an enclave with the remainder of the High Pines Area
(2) Consider annexing the entirety of the High Pines community
(3) Eliminates an enclave
(4) Consider the annexation of the three small enclaves to the west
(5) Resubmit keeping the annexation within the UDB and eliminating all enclaves
(6) Do not consider until the North Central MAC is resolved

7.9 – CURRENT MAC PROPOSALS

There are currently eight proposals for MACs to consider incorporation. The MAC must produce a report that includes a budget and proposed millage rate for the new municipality. In addition, they must hold public hearings to solicit input from the community and to gauge support. A review of the MACs has been conducted to arrive at a preliminary recommendation regarding a potential recommendation for the MAC to proceed to a referendum.

It is essential to note that the following criteria are not evenly weighted. Two factors (the Budget Report and the Public Hearing) would be the most important considerations for the Board to decide to proceed with the referendum. Unfortunately, most of the MACS have not completed these steps. A final recommendation must await the completion of the process. The following recommendations are therefore, informal.

7.9.1 – Criteria

Fiscal Feasibility – is based on the Budget Report completed by the MAC and reviewed by a third party consultant – Only three of the MACs have completed the Budget. Feasibility is defined as requiring an Ad Valorem rate less than of the adjacent municipalities.

Public Support - is based on the comments received during the Public Hearings. These Hearings have not been held for most of the MACs.

Unable to Annex to adjacent municipalities - The MAC would receive a NO if any municipality abuts the boundaries.

Sufficient Population - is measured by the MAC having a population that meets the minimum standards expressed in this report.

Within the UDB - addresses the recommendation that no incorporation or annexation should occur outside of the UDB

Square boundaries - are important for efficient operations. This measure considers if the boundaries are square or irregular (see definition of irregular boundaries on page 7-6)

The COIs - identified in this report represent communities of interest and neighborhoods. This measure considers whether the COI is kept together or split due to the existing MAC boundary

The last column represents a recommendation of the MAC proceeding to a referendum. The final approval by the Board cannot occur until the Budget Report and Public Hearings are complete.

TABLE 7-3
PRELIMINARY RECOMMENDATIONS REGARDING PROCEEDING TO A REFERENDUM

MAC	Fiscal Feasible	Public Support	Unable to Annex	Sufficient Population	Within UBD	Square Boundaries	Keeps COI Together	Approve Referendum
Northeast	YES	N/A	NO	YES	YES	YES	YES	YES
North Central	N/A	N/A	NO	YES	YES	YES	YES	YES
Biscayne Gardens	YES	N/A	NO	YES	YES	YES(1)	YES	YES
Fontainebleau	YES	N/A	NO	YES	YES	YES	NO(2)	YES
South A	N/A	N/A	YES	YES	YES	YES(1)	NO	YES
South B	N/A	N/A	NO	YES	NO	NO	NO(2)	NO
W Kendall 1	N/A	N/A	YES	YES	NO	NO	NO(2)	NO (3)
W Kendall 3	N/A	N/A	YES	YES	NO	NO	NO(2)	NO (3)

(1) Includes all of the unincorporated area in the section of the county, although the boundaries are irregular (see definition of irregular boundaries on page 7-6) due to previous annexation efforts
(2) The COI extends beyond the MAC boundary.
(3) Consider refiguring to combine Kendall 1 and 3

SECTION 8
INCORPORATION/ANNEXATION OPTIONS

This section addresses the options for future incorporations or annexation in the County

8.1 – ROLE OF COUNTY COMMISSION

Prior to discussing the merits of the delivery of municipal services to the citizens and property owners of the unincorporated area, the Board must first conclude an essential issue to this process. The original concept of this study (as well as some previous initiatives) is the role of the Board. One option is for the Board to only be engaged in regional or county-wide issues; the second option is to provide municipal type services to UMSA.

The regional option is based on the concept that an urban county such as Miami-Dade has significant matters of regional concern to address. These issues (Transit, Environment, Economy, Public Health, Airport, Port of Miami and Public Safety) impact every resident, visitor and property owner in the County. The impact is so significant that the primary focus of the Board is placed on these issues. The typical municipal service delivery can be provided by other entities (municipalities). Another point in this discussion is that municipal government can address the local service delivery in a more personal manner.

The argument against regionalization is that Miami-Dade County and the unincorporated area is so large that these services are better served by the Board. In addition, some citizens and property owners expressed at the public meetings held for this study, opposition to annexation or incorporation. The primary reasons expressed were:

- Ad Valorem Taxes would increase
- Another layer of government would be added, unnecessarily

The first order of business for the Board is to resolve the issue of whether they feel that the role of the Board should be regional only, or continue to include delivery of services. It is recommended that the Board alter its role to address only regional or county-wide issues.

Due to the complexity of the regional issues affecting Miami-Dade County, it is recommended that the Board alter its function to address these regional issues. The daily functions of a municipal service entity should be designated to the municipalities (under Incorporation or Annexation) or a structure such as the Community Councils, on an interim basis.

8.2 - GOVERNANCE OF THE UNINCORPORATED AREA

The purpose of this study is to present the county with the analysis and findings of the following four different scenarios and possible recommendations. Those scenarios were:

- Full incorporation of the entire unincorporated area if determined to be feasible (via annexation or incorporation)
- No further incorporations, only annexations
- No further incorporations or annexations

- Increased Metropolitan governance at the County level, that could be accomplished based on the existing powers of the County

8.2.1 - Full incorporation of the entire unincorporated area if determined to be feasible (via annexation or incorporation)

It is not reasonable to achieve full incorporation of the UMSA area. The lands located outside of the UDB are not suitable for inclusion in a municipal structure and their annexation or incorporation is contrary to a previous recommendation. It is proposed that the question be rephrased to "Full incorporation of the unincorporated area inside the UDB if determined to be feasible (via annexation or incorporation)".

Should this decision occur, there must be a mechanism to provide daily services for the unincorporated area, until the time that incorporation or annexation occurs. The best mechanism for this system is through the existing Community Councils. These organizations have been established to address Planning, Zoning, Land Use, Budgeting, Public Safety and Communication issues.

The use of the Community Councils is an interim step until the UMSA area is fully incorporated. As Incorporation or Annexation occurs, the boundaries of the Community Councils will be reduced and existing Board members may no longer qualify to sit on the Council. To ease this situation, it is recommended that the Community Council Board members be appointed instead of elected if the County decides to pursue full incorporation.

Advantages of option:
1. Provide local control of services
2. Generates a perception of more direct access to decision makers
3. Local determination
4. Relieve County Commission of daily functions

Disadvantages of option:
1. Some property owners will experience an increase in Ad Valorem Taxes
2. Some property owners will find the options undesirable

How specific issues will be addressed under this scenario

Issues	Impact
Environmental Protection	No change due to inclusion in County Code and CPMP
Agriculture	No change due to inclusion in County Code and CPMP
Growth Policies	Incorporations – No change Annexations – Could have a restriction of growth
Economic Development	Based on resources available, could be a reduction of effort
Regulation of Business	No change
County-wide services	Long-range reduction in County staff
Low Income Areas	Based on resources available, could be a reduction of effort

Source: PMG Associates, Inc. June 2015

Based on the rephrasing of the question and the recommended role of the Board, this option should be accepted.

8.2.2 - No further incorporations, only annexations

This option would negate the concept and purpose of the MACs (as per County Code), which is to study and give advice to the County Commission regarding the creation of a proposed municipality. The option also limits the right of the citizens within each MAC boundary to determine the best municipal government for themselves. In addition, much of the unincorporated area is located in the western and southern portions of the County. There are few municipalities adjacent to these areas and the extension of service delivery areas too significant for reasonable operation. The areas immediately adjacent to the existing municipalities should be considered for annexation, but not the large expanse of the unincorporated area.

Advantages
1. Generates a perception of more direct access to decision makers
2. Relieve County Commission of daily functions

Disadvantages
1. Some property owners will experience an increase in Ad Valorem Taxes
2. Some property owners will find the options undesirable

How specific issues will be addressed under this scenario

Issues	Impact
Environmental Protection	No change due to inclusion in County Code and CPMP
Agriculture	No change due to inclusion in County Code and CPMP
Growth Policies	Could have a restriction of growth based on policies of the municipality
Economic Development	Based on resources available, could be a reduction of effort
Regulation of Business	No change
County-wide services	Long-range reduction in County staff
Low Income Areas	Based on resources available, could be a reduction of effort

Source: PMG Associates, Inc. June 2015

It is recommended that incorporations be permitted as well as annexations.

8.2.3 - No further incorporations or annexations

Based on earlier recommendations that the Board concentrate only on regional issues, this alternative should be rejected. Additionally, even if the Board decided to retain jurisdiction over UMSA, some annexations and incorporations will make sense.

Advantages
1. Tax Base of UMSA remains stable
2. No increase in Ad Valorem Taxes for property owners

Disadvantages
1. County Commission must continue to address daily functions
2. Reduce the opportunity for self-determination
3. Perception that access to decision makers will be inhibited

How specific issues will be addressed under this scenario

Issues	Impact
Environmental Protection	No change due to inclusion in County Code and CPMP
Agriculture	No change due to inclusion in County Code and CPMP
Growth Policies	No change
Economic Development	No change
Regulation of Business	No change
County-wide services	No change
Low Income Areas	No change

Source: PMG Associates, Inc. June 2015

It is recommended that incorporations be permitted as well as annexations.

8.2.4 - Increased Metropolitan governance at the County level, that could be accomplished based on the existing powers of the County

Option 1
There are two approaches to addressing this option. The first is to expand services to a county-wide level. This approach requires the establishment of a single department that addresses services throughout the County. This option would include expansion of the County's role in services such as Public Safety, Planning and Code Enforcement. Local municipal services would be merged into a county-wide system. The Board would likely establish an operating entity that would address day-to-day functions and would only address policy decisions. A single entity would be established on a county-wide basis for both incorporated and unincorporated areas to provide services such as:

- Police
- Fire
- Water and Sewer
- Code Enforcement
- Planning
- Zoning
- Transportation

At present, there are eight communities throughout the United States with a city-county government structure. Of these examples, four are larger counties (although smaller than Miami-Dade County) and the remainder are small.

TABLE 8-1
LIST OF CONSOLIDATED CITY/COUNTY GOVERNMENTS

Community	Population (2010)
Jacksonville – Duval County, Florida	821,784
Indianapolis – Marion County, Indiana	820,445
Nashville – Davidson County, Tennessee	601,222
Louisville – Jefferson County, Kentucky	597,337
Augusta – Richmond County, Georgia	197,872
Macon – Bibb County, Georgia	155,510
Athens – Clarke County, Georgia	115,452
Butte – Silver Bow County, Montana	33,525

Source: National League of Cities, 2015

The County already has certain powers for Planning and Zoning activities as related to the CPMP as well as for Transit and Environmental issues. However, some municipalities have their own systems for these services and have elected to operate these functions independently.

This option takes away the ability to establish local levels of service. Some residents of municipalities desire to have increased service levels that may not be attainable under these alternatives. The regional concept has been adopted in large urban areas across the country with mixed results regarding economical delivery of service. Duplication can be eliminated or reduced, which would theoretically reduce costs. However, many communities will not wish to give up the local control and options for levels of service.

It is recommended that the expansion of County governance of services on a countywide basis not be adopted.

Option 2

Under the current Code and governance system of the County, the Community Councils have been designated to address certain functions regarding Zoning as the Board of Appeals. When the Community Councils were first organized, there were also several optional responsibilities that they may perform. The list of required and optional responsibilities is as follows.

1) Zoning (required)
   a) Make local zoning decisions with respect to:
      - Appeals of staff administrative decisions**
      - Special exceptions, unusual uses and new uses*
      - Variances from subdivision regulations*
      - Change-of-prefix use variances**
      - Zoning district boundary changes**
      - Site plan approvals in conjunction with above activities (County Commission remains responsible for changes to zoning regulations)
      - Alternative site development option*
      - Modifications or elimination of conditions and/or covenants*
   b) Make recommendations to the Board of County Commissioners on regional zoning decisions (Developments of Regional Impact)**

2) Planning (optional)
   a) Compile profiles of their respective community's social, physical and economic conditions to assist them in performing their duties.
   b) Prepare an annual statement of community needs including development patterns and regulations, public facilities and services to assist the Council.
   c) Make recommendations to the Planning Advisory Board and Board of County Commissioners on proposed Miami-Dade County Comprehensive Development Master Plan amendments that impact each Council's area.
   d) Make recommendations to the County Commission on the location and siting of specific public facility and infrastructure projects.
3) Protection of Persons and Property Programming (optional)
   a) Recommend policies to coordinate the Fire Rescue District and Police Department in the enhancement of public safety and protection of property in the Council area through improved communications and service needs assessments.

4) Budgeting (optional)
   a) Make recommendations to the County Mayor and County Commission on priorities for community facilities and services and on Community Based Organization grants for the Council area.
   b) Make recommendations to the County Mayor and County Commission on revenue needs including unincorporated area property taxes mileages and special taxing districts.
5) Communication (optional)
   a) Conduct forums on Council area issues to facilitate the exchange of information between residents, property owners, businesses, institutions, and County officials and administrators.
   b) Disseminate information about Council area related organizations, programs, and activities.
   c) Coordinate with Miami-Dade County's Department of Regulatory and Economic Resources in the exercise of that agency's responsibilities within the Council area.

* appealable to circuit court
**appealable to Board of County Commissioners who can override Community Council denial only by 2/3 vote of the members in office. Mayor can deny County Commission action on appeal which in turn can be overridden by 2/3 vote of County Commissioners in office.
***Board of County Commissioners can override Community Council recommendation for denial only by 2/3 vote of the members in office. Mayor can deny County Commission action which in turn can be overridden by 2/3 vote of County Commissioners in office

The mechanism to execute this option would be to fully implement the responsibilities of the Community Councils and provide funding to enable the organizations to conduct daily functioning and relieve the time constraints on the County Commission. The Community Councils will remain as advisory with final decision by the County Commission. This option may have a minor increase in costs since staff would make presentations to the Community Council. However, the amount of time required to present items to the County Commission will be reduced.

Advantages
1. Relieve County Commission of daily functions
2. Brings decision to local level

Disadvantages
1. Potential of increased operating costs for departments
2. Could be a lack of consistency between Community Councils

How specific issues will be addressed under this scenario

Issues	Impact
Environmental Protection	No change due to inclusion in County Code and CPMP
Agriculture	No change due to inclusion in County Code and CPMP
Growth Policies	No change
Economic Development	No change
Regulation of Business	No change
County-wide services	No change
Low Income Areas	No change

Source: PMG Associates, Inc. June 2015

It is recommended that this option not be accepted.

8.3 – MATRIX OF ADVANTAGES AND DISADVANTAGES OF EACH OPTION

When considering each of the four options regarding Incorporation and Annexation in the County a review of the impacts of the options have been included. The information found in this table provides a direct comparison for each of the four alternatives, as discussed earlier.

TABLE 8-2
MATRIX OF ADVANTAGES AND DISADVANTAGES OF EACH OPTION

Option	Description	Advantages	Disadvantages
1	Full incorporation of the entire unincorporated area if determined to be feasible (via annexation or incorporation	1. Provide local control of services 2. Generates a perception of more direct access to decision makers 3. Local determination 4. Relieve County Commission of daily functions	1. Some property owners will experience an increase in Ad Valorem Taxes 2. Some property owners will find the options undesirable
2	No further incorporations, only annexations	1. Generates a perception of more direct access to decision makers 2. Relieve County Commission of daily functions	1. Some property owners will experience an increase in Ad Valorem Taxes 2. Some property owners will find the options undesirable
3	No further incorporations or annexations	1. Tax Base of UMSA remains stable 2. No increase in Ad Valorem Taxes for property owners	1. County Commission must continue to address daily functions 2. Reduce the opportunity for self-determination 3. Prevents local access to decision makers
4	Increased Metropolitan governance at the County level, that could be accomplished based on the existing powers of the County (expansion of Community Councils)	1. Relieve County Commission of daily functions 2. Brings decision to local level	1. Potential of increased operating costs for departments 2. Could be a lack of consistency between Community Councils

Source: PMG Associates, Inc. June 2015

TABLE 8-3
HOW SPECIFIC ISSUES WILL BE ADDRESSED UNDER EACH SCENARIO

Issues	Full incorporation of the entire unincorporated area if determined to be feasible (via annexation or incorporation	No further incorporations, only annexations	No further incorporations or annexations	Increased Metropolitan governance at the County level, that could be accomplished based on the existing powers of the County (expansion of Community Councils)
Environmental Protection	No change due to inclusion in County Code and CPMP	No change due to inclusion in County Code and CPMP	No change due to inclusion in County Code and CPMP	No change due to inclusion in County Code and CPMP
Agriculture	No change due to inclusion in County Code and CPMP	No change due to inclusion in County Code and CPMP	No change due to inclusion in County Code and CPMP	No change due to inclusion in County Code and CPMP
Growth Policies	Incorporations – No change Annexations – Could have a restriction of growth	Could have a restriction of growth	No change	No change
Economic Development	Based on resources available, could be a reduction of effort	Based on resources available, could be a reduction of effort	No change	No change
Regulation of Business	No change	No change	No change	No change
County-wide services	Long-range reduction in County staff	Long-range reduction in County staff	No change	No change
Low Income Areas	Based on resources available, could be a reduction of effort	Based on resources available, could be a reduction of effort	No change	No change

Source: PMG Associates, Inc. June 2015

8.4 - RECOMMENDATION

It is recommended that the County Commission adopt the following scenarios regarding incorporation and annexation

1. **The County Commission should address regional issues only**
2. **Full Incorporation of the County (through incorporations and annexation) should be permitted, as feasible**
3. **Implement the existing Codified responsibilities of the Community Councils and provide funding to enable the organizations to conduct daily functioning and relieve the time constraints on the County Commission**

8.5 - INCORPORATION/ANNEXATION PLAN

To address the question of incorporation and/or annexation, it is necessary to develop an overall Plan that outlines the steps to be taken and the recommended time frames. The recommended Plan is based on the policy of concentrating the efforts of the County Commission only on County-wide and regional issues. This policy would require the full incorporation of the County. This overall Plan seeks to achieve that goal.

1. Discussion at the Board level to form a policy that the County Commission will restrict its activities to issues of County-wide significance. Adoption of a policy through a resolution to accomplish this goal.
2. Adopt a Policy through a resolution to facilitate incorporation of the UMSA area (through incorporation or annexation).
3. Direct the next Charter Review Task Force to examine a Charter Amendment to permit the County Commission to compel either incorporation or annexation.
4. Adopt an Ordinance to prohibit incorporation/annexation outside of the UDB.
5. Amend the Code to modify the areas of county significance.
6. Amend the Code to require an affirmative letter in the annexation application from annexing municipalities regarding transit nodes.
7. Amend the Code to require an affirmative letter in the annexation application from annexing municipalities regarding environmentally sensitive areas.
8. Amend the Code to require inclusion in the charter for any incorporating municipality regarding transit nodes.
9. Amend the Code to require inclusion in the charter for any incorporating municipality regarding environmentally sensitive areas.
10. Amend the Code to establish a minimum population size of any incorporating municipality.
11. Amend the Code to permit additional input from businesses for annexation applications.
12. Adopt a policy through resolution to continue County operation of CRAs in the unincorporated areas.
13. Amend the Code to address low-income areas through
    a. Require an annexing municipality to offset the annexation of a high-income area with the annexation of a low-income area, if possible

b. Any MAC established cannot exclude any low-income area that is adjacent to its boundaries
c. No enclaves can be permitted with incorporation or annexation, particularly where the area is a low-income community

14. Amend the Code to prohibit annexation where the area only includes a portion of the Community of Interest, creates an enclave or forms irregular boundaries (see definition of irregular boundaries on page 7-6). An exception will occur where the annexation eliminates already existing irregular boundaries.
15. Adopt a policy through resolution to continue County operation of CRAs in the unincorporated areas.
16. Adopt a resolution that addresses the functioning of the MACs to include the following:
    a. Allow the existing MACs to complete task
    b. Enforce the establishing time frame for the MACs existence (2 years)
    c. Insure that the MAC Board has enough assistance to complete their task
    d. Give preference to the MACs when a conflict exists between any annexation application and the MAC effort
    e. When establishing MAC boundaries, use Communities of Interest rather than Commission District lines
17. Implement the existing Codified responsibilities of the Community Councils and provide funding to enable the organizations to conduct daily functioning and relieve the time constraints on the County Commission
18. The County Commission should approve the following annexation applications:
    a. North Miami Beach (Winward)
    b. North Miami (Sunkist Grove)
    c. North Miami (Gratigny)
    d. North Miami (NE 149th Street)
    e. Hialeah (Hialeah Heights)
    f. Opa locka (Area A)
19. The County Commission should not approve the following annexation applications:
    a. Coral Gables (Davis/Ponce)
    b. Florida City (Area D)
    c. Florida City (Area H)
    d. North Miami (Biscayne Corridor)
    e. Opa locka (Area B)
    f. Biscayne Park
    g. Miami Shores
20. The County Commission should authorize a referendum for the following MACS (based on receipt of an appropriate Budget Report and a Public Hearing that signifies adequate public support)
    a. Northeast
    b. North Central
    c. Biscayne Gardens
    d. Fontainebleau
    e. South A
21. The County Commission should not authorize a referendum, at this time, for the following MACs as configured due to the extension outside of the UDB:
    a. South B
    b. West Kendall 1
    c. West Kendall 3

TABLE 8-4
INCORPORATION/ANNEXATION PLAN

Action	Implementation Steps
Adopt policy for Board to address County-wide issues only	1. Discussion at Board level (Workshop) 2. Public Hearing 3. Resolution
Adopt policy that encourages full incorporation (either incorporation or annexation) of the unincorporated portion of the County	1. Discussion at Board level (Workshop) 2. Public Hearing 3. Resolution
Direct the Charter Review Task Force to examine allowing the County Commission to compel incorporation or annexation	1. Discussion by task Force 2. Potential referendum
Amend the County Code to address incorporation/annexation by adopting recommendations 4 through 15	1. Discussion at Board level (Workshop) 2. Public Hearing 3. Ordinances
Approve resolutions to address the operation of CRAs and MACs through adopting recommendations 16 and 17	1. Discussion at Board level (Workshop) 2. Public Hearing 3. Resolution
Adopt a resolution to implement the existing Codified responsibilities of the Community Councils and provide funding to enable the organizations to conduct daily functioning and relieve the time constraints on the County Commission	1. Discussion at Board level (Workshop) 2. Public Hearing 3. Resolution
Amend the County Code to have all Community Council members appointed by the County Commission	1. Discussion at Board level (Workshop) 2. Public Hearing 3. Ordinance
Approve the annexation applications that meet the recommendations found in the Study (North Miami Beach (Winward); North Miami (Sunkist Grove); North Miami (Gratigny); North Miami (NE 149th Street); Hialeah (Hialeah Heights); Opa locka (Area A))	1. Discussion at Board level (Workshop) 2. Ordinance
Deny the annexation applications that do not meet the recommendations found in the Study (North Miami (Biscayne Corridor); Biscayne Park; Miami Shores)	1. Discussion at Board level (Workshop) 2. Ordinance
Return the following annexation applications to the municipalities to adjust the request based on the recommendations found in the Study (Coral Gables (Davis/Ponce); Florida City (Area D); Florida City (Area H); Opa locka (Area B))	1. Discussion at Board level (Workshop) 2. Ordinance

TABLE 8-4
INCORPORATION/ANNEXATION PLAN (continued)

Action	Implementation Steps
Upon receipt of an acceptable Budget Report from the MAC Board and evidence from the Public Hearing of adequate support, approve the MACS for holding a referendum (Northeast; North Central; Biscayne Gardens; Fontainebleau; South A)	1. Discussion at Board level (Workshop) 2. Resolution 3. Ordinance (if referendum passes)
Direct the following MACs to reconfigure their boundaries to exclude any area outside of the UDB and to include entire Communities of Interest (South B; W Kendall 1; W Kendall 3)	1. Discussion at Board level (Workshop) 2. Resolution

Source: PMG Associates, Inc. June 2015

8.6 - ALTERNATIVE INCORPORATION/ANNEXATION PLAN

In the event that the County Commission does not decide to restrict their activities to issues of county-wide interest the following action steps should be taken.

1. Adopt an Ordinance to prohibit incorporation/annexation outside of the UDB.
2. Amend the Code to modify the areas of county significance.
3. Amend the Code to require an affirmative letter from annexing municipalities regarding transit nodes.
4. Amend the Code to require an affirmative letter from annexing municipalities regarding environmentally sensitive areas.
5. Amend the Code to require inclusion in the charter for any incorporating municipality regarding transit nodes.
6. Amend the Code to require inclusion in the charter for any incorporating municipality regarding environmentally sensitive areas.
7. Amend the Code to establish a minimum population size of any incorporating municipality.
8. Amend the Code to permit additional input from businesses for annexation applications.
9. Adopt a policy through resolution to continue County operation of CRAs in the unincorporated areas.
10. Amend the Code to prohibit annexation where the area only includes a portion of the Community of Interest, creates an enclave or forms irregular boundaries (see definition of irregular boundaries on page 7-6). An exception will occur where the annexation eliminates already existing irregular boundaries
11. Adopt a resolution that addresses the functioning of the MACs to include the following:
    a. Allow the existing MACs to complete task
    b. Enforce the establishing time frame for the MACs existence (2 years)
    c. Insure that the MAC Board has enough assistance to complete their task
    d. Give preference to the MACs when a conflict exists between any annexation application and the MAC effort
    e. When establishing MAC boundaries, use Communities of Interest rather than Commission District lines

12. Amend the Code to address low-income areas through
    a. Require an annexing municipality to offset the annexation of a high-income area with the annexation of a low-income area, if possible
    b. Any MAC established cannot exclude any low-income area that is adjacent to its boundaries
    c. No enclaves can be permitted with incorporation or annexation, particularly where the area is a low-income community
13. The County Commission should approve the following annexation applications:
    a. North Miami Beach (Winward)
    b. North Miami (Sunkist Grove)
    c. North Miami (Gratigny)
    d. North Miami (NE 149th Street)
    e. Hialeah (Hialeah Heights)
    f. Opa locka (Area A)
14. The County Commission should not approve the following annexation applications:
    a. Coral Gables (Davis/Ponce)
    b. Florida City (Area D)
    c. Florida City (Area H)
    d. North Miami (Biscayne Corridor)
    e. Opa locka (Area B)
    f. Biscayne Park
    g. Miami Shores
15. The County Commission should authorize a referendum for the following MACS (based on receipt of an appropriate Budget Report and a Public Hearing that signifies adequate public support)
    a. Northeast
    b. North Central
    c. Biscayne Gardens
    d. Fontainebleau
    e. South A
16. The County Commission should not authorize a referendum, at this time, for the following MACs as configured, due to the extension outside of the UDB:
    a. South B
    b. West Kendall 1
    c. West Kendall 3

TABLE 8-5
ALTERNATIVE INCORPORATION/ANNEXATION PLAN

Action	Implementation Steps
Amend the County Code to address incorporation/annexation by adopting recommendations 1 through 10	1.Discussion at Board level (Workshop) 2. Public Hearing 3. Ordinances
Approve resolutions to address the operation of CRAs and MACs through adopting recommendations 11 and 12	1. Discussion at Board level (Workshop) 2. Public Hearing 3. Resolution
Approve the annexation applications that meet the recommendations found in the Study (North Miami Beach (Winward); North Miami (Sunkist Grove); North Miami (Gratigny); North Miami (NE 149th Street); Hialeah (Hialeah Heights); Opa locka (Area A))	1. Discussion at Board level (Workshop) 2. Ordinance
Deny the annexation applications that do not meet the recommendations found in the Study (North Miami (Biscayne Corridor); Biscayne Park; Miami Shores)	1. Discussion at Board level (Workshop) 2. Resolution
Return the following annexation applications to the municipalities to adjust the request based on the recommendations found in the Study (Coral Gables (Davis/Ponce); Florida City (Area D); Florida City (Area H); Opa locka (Area B))	1. Discussion at Board level (Workshop) 2. Resolution
Upon receipt of an acceptable Budget Report from the MAC Board and evidence from the Public Hearing of adequate support, approve the MACS for holding a referendum (Northeast; North Central; Biscayne Gardens; Fontainebleau; South A)	1. Discussion at Board level (Workshop) 2. Resolution 3. Ordinance (if referendum passes)
Direct the following MACs to reconfigure their boundaries to exclude any area outside of the UDB and to include entire Communities of Interest (South B; W Kendall 1; W Kendall 3)	1. Discussion at Board level (Workshop) 2. Resolution

Source: PMG Associates, Inc. June 2015

APPENDIX A

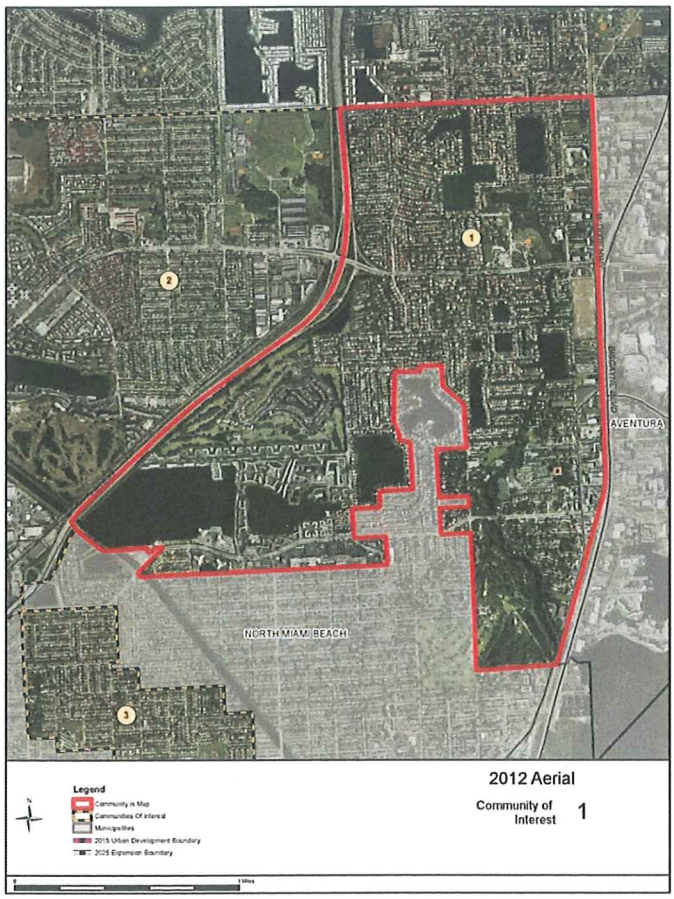
COMMUNITIES OF INTEREST

APPENDIX A
IDENTIFICATION OF COMMUNITIES OF INTEREST

The current unincorporated areas are diverse and have long and involved histories with the residents and the government. The following discussion addresses the characteristics of the COIs.

COI #1 – Is the Ojus CDP. It is bordered by the City of Aventura to the east, by NE 215th Street (the County Line) to the north, by I-95 to the west, and by the City of North Miami Beach to the south. In 2003, a resolution by the County created the Northeast Dade MAC. The boundaries of the Northeast Dade MAC and the Ojus CDP are the same.

COI #1	
Population	17,969
Units	8,119
Number of Businesses	974
% Below Poverty	13.1
% White	81.2
% Black or African American	10.1
% Hispanic or Latino	44.3
Taxable Value	$1,152,198,442

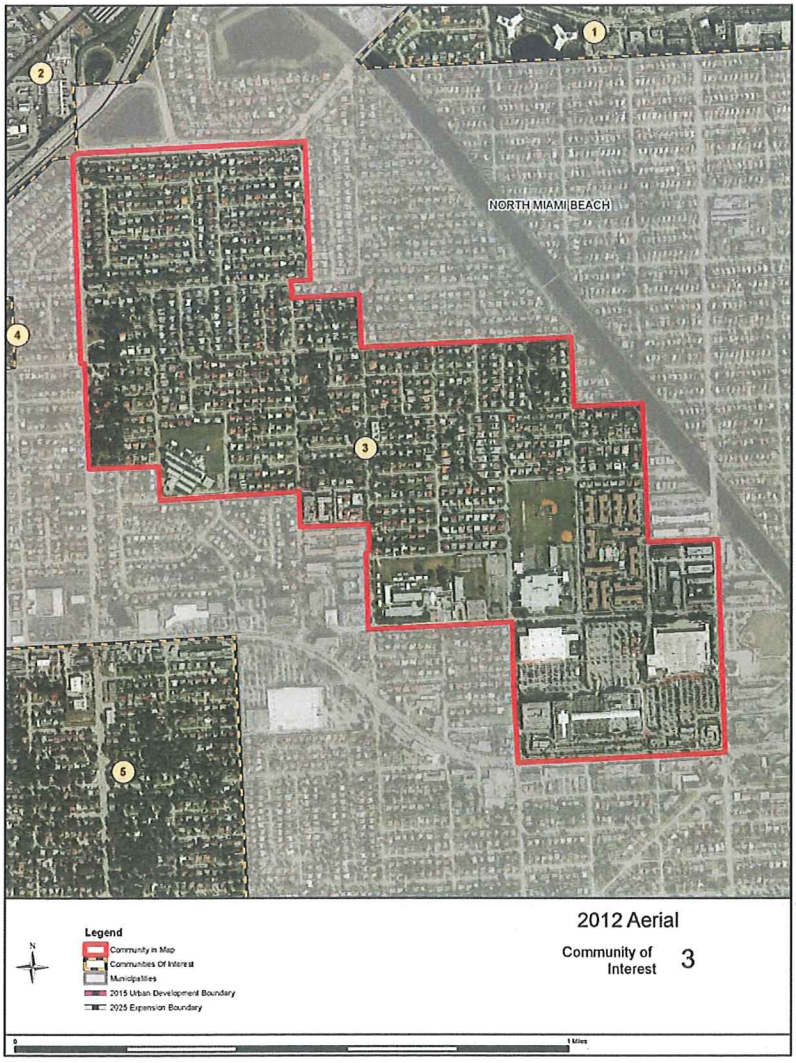


COI #2 – Includes the Ives Estates CDP and the Norland neighborhood. The Norland neighborhood is the remaining unincorporated area of the former CDP, Norland. The majority of the former CDP was previous annexed by the City of Miami Gardens. It is bordered by I-95 to the east and south, by NE 215th Street to the north, and by Miami Gardens to the west.

COI #2	
Population	24,906
Units	10,286
Number of Businesses	813
% Below Poverty	13.9
% White	35.1
% Black or African American	55.8
% Hispanic or Latino	24.8
Taxable Value	$841,588,347

COI #3 – Is the enclave located in the center of the City of North Miami Beach. It is referred to colloquially as "the hole in the donut". It is bordered on all sides by the City of North Miami Beach. In 2005, the City of North Miami Beach submitted an annexation application for the entire COI.

COI #3	
Population	4,876
Units	1,842
Number of Businesses	106
% Below Poverty	24.1
% White	57.7
% Black or African American	31.9
% Hispanic or Latino	22.0
Taxable Value	$161,939,777

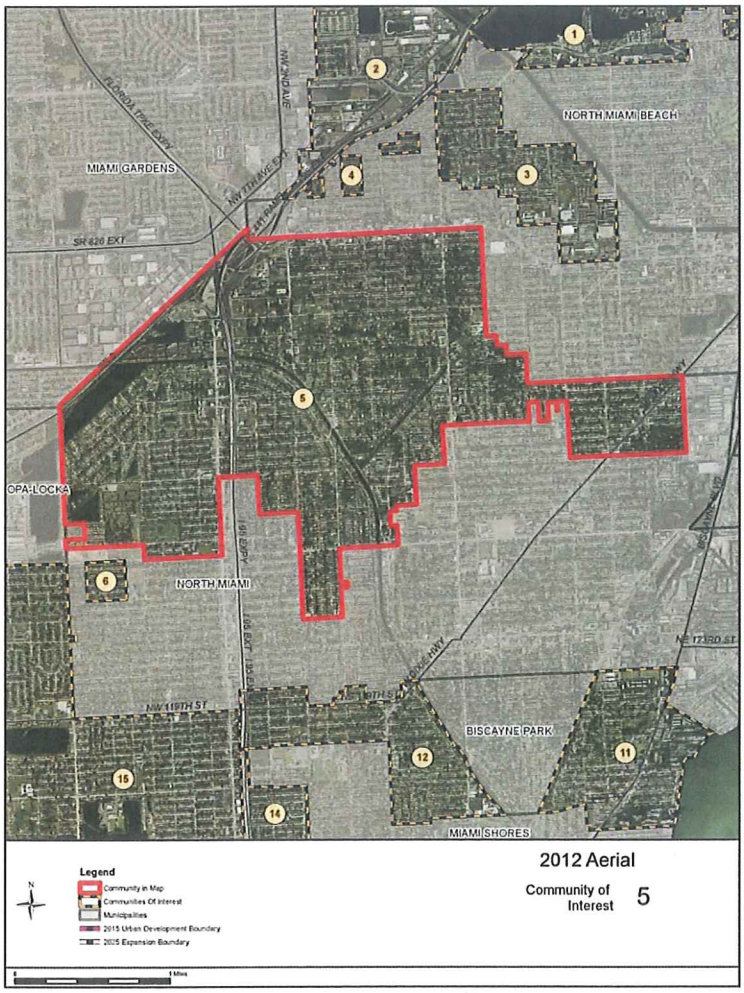


COI #4 – Is a series of four enclaves, mostly surrounded by the City of North Miami Beach. The two enclaves furthest west are bordered to the northwest by I-95, and on all other sides by North Miami Beach. The other two enclaves are entirely surrounded by the City. Demographic figures are for the four enclaves collectively.

COI #4	
Population	573
Units	156
Number of Businesses	3
% Below Poverty	15.1
% White	23.4
% Black or African American	60.6
% Hispanic or Latino	30.2
Taxable Value	$8,847,899

COI #5 – is the Golden Glades CDP. It is the unincorporated area bounded by the City of North Miami Beach on the north and east, by the City of North Miami on the east and south, by the City of Opa-locka on the west and by the City of Miami Gardens on the northwest. In 2003, a resolution by the County created the Biscayne Gardens MAC. The boundaries of the Biscayne Gardens MAC and the Golden Glades CDP are the same. In 2013, the City of North Miami proposed annexing a portion of the COI in its NE 149th Street Area proposal.

COI #5	
Population	32,198
Units	10,604
Number of Businesses	760
% Below Poverty	20.5
% White	19.4
% Black or African American	73.4
% Hispanic or Latino	18.6
Taxable Value	$715,607,558

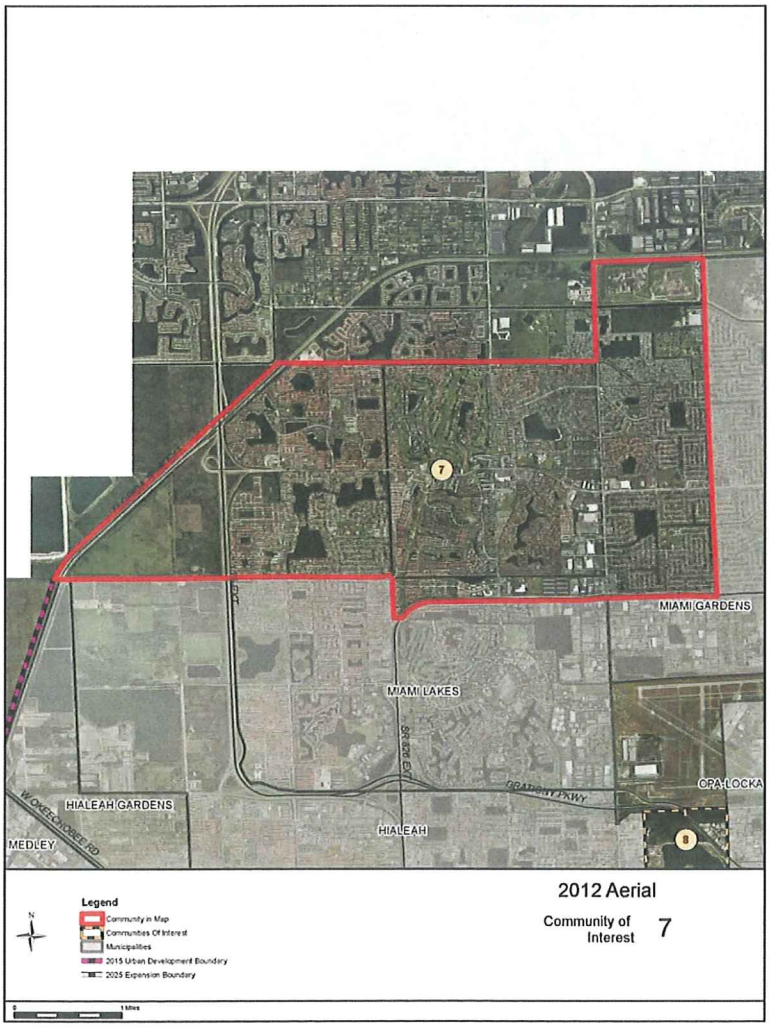


COI #6 – is an enclave, surrounded on all sides by the City of North Miami. In 2013, the City of North Miami proposed annexing the entire COI in its Sunkist Grove proposal.

COI #6	
Population	594
Units	162
Number of Businesses	3
% Below Poverty	3.9
% White	8.6
% Black or African American	83.0
% Hispanic or Latino	9.8
Taxable Value	$7,738,371

COI #7 – Is the northwest section of the County. It includes the Palm Springs North and Country Club CDPs, along with additional unincorporated areas. It is bounded by the City of Miami Gardens to the east, by the County Line to the north, by the Urban Development Boundary (UDB) to the west, and by the City of Hialeah and the Town of Miami Lakes to the south. In 2013, the City of Hialeah applied to annex the section of the COI west of I-75.

COI #7	
Population	89,444
Units	29,924
Number of Businesses	1,458
% Below Poverty	14.4
% White	77.8
% Black or African American	13.1
% Hispanic or Latino	79.4
Taxable Value	$2,743,565,309

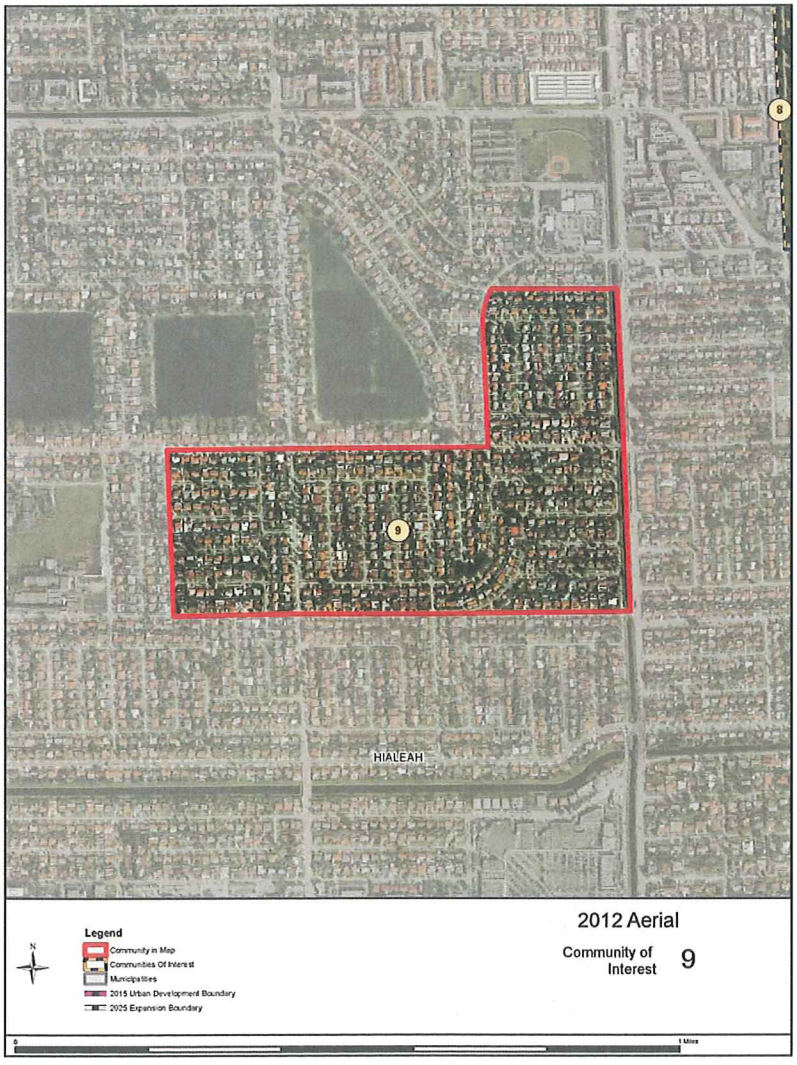


COI #8 – is Amelia Earhart Park and the industrial area to the north of the Park. It is bordered by the City of Opa-locka to the east, Opa-locka Executive Airport to the north, and the City of Hialeah to the west and south. In 2013, the City of Opa-locka submitted an annexation application for the industrial area north of the park, in its Area A application.

COI #8	
Population	151
Units	0
Number of Businesses	174
% Below Poverty	15.4
% White	46.4
% Black or African American	51.0
% Hispanic or Latino	18.5
Taxable Value	$18,189,755

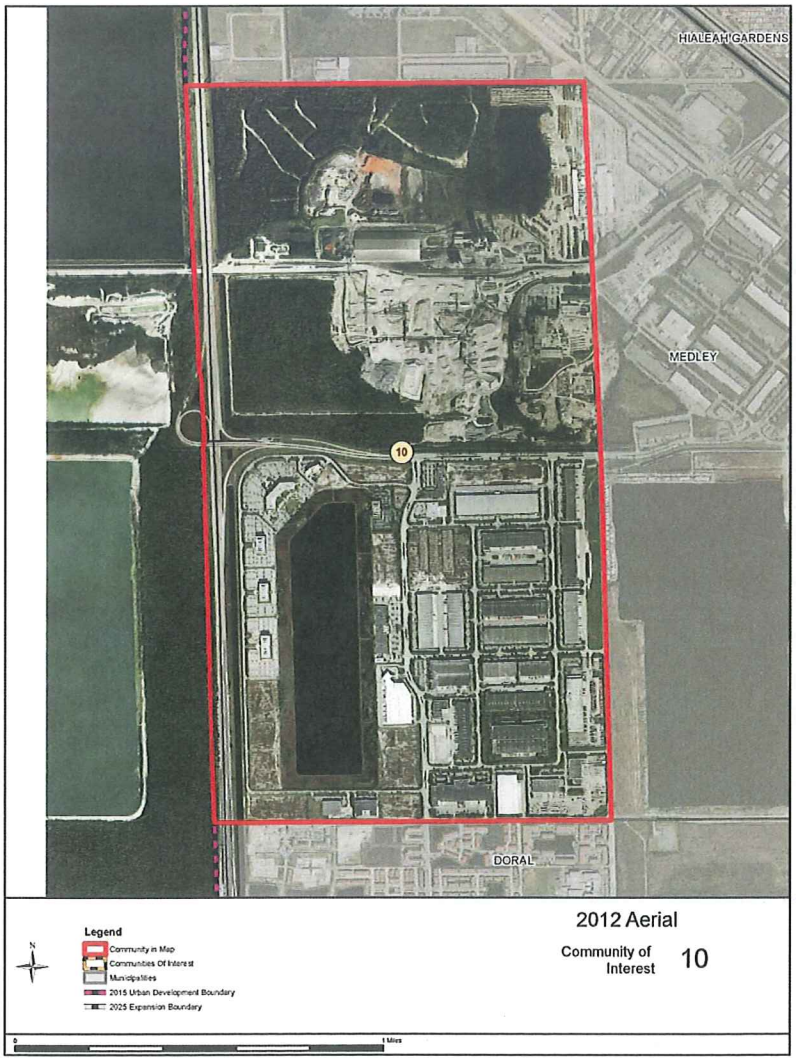
COI#9 – Is an enclave in the City of Hialeah. It is surrounded on all sides by the City.

COI #9	
Population	2,165
Units	580
Number of Businesses	15
% Below Poverty	10.5
% White	95.2
% Black or African American	1.5
% Hispanic or Latino	92.4
Taxable Value	$58,043,615



COI #10 – Is an enclave West of Medley. It is bordered by the Town of Medley to the north and east, the UDB to the west and the City of Doral to the south.

COI #10	
Population	0
Units	0
Number of Businesses	139
% Below Poverty	0.0
% White	0.0
% Black or African American	0.0
% Hispanic or Latino	0.0
Taxable Value	$522,877,577

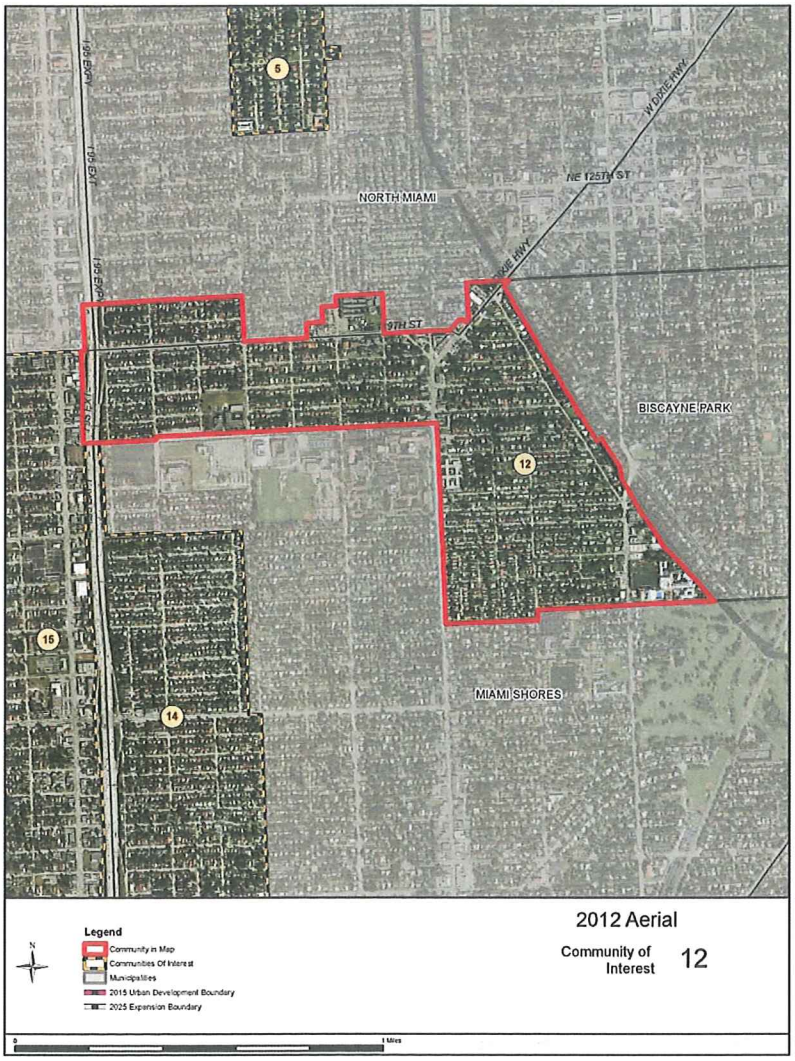


COI #11 – Is an enclave to the west of Biscayne Park. It is bordered by the Intracoastal Waterway to the east, the City of North Miami to the north, the Village of Biscayne Park to the west, and the Village of Miami Shores to the south. In 2013, the City of North Miami proposed annexing a portion of the COI in its Biscayne Corridor East Area proposal. In 2014, the Village of Biscayne Park proposed annexing a portion of the COI. It should be noted that there was considerable overlap in the areas of proposed annexation.

COI #11	
Population	7,987
Units	4,192
Number of Businesses	358
% Below Poverty	29.3
% White	47.7
% Black or African American	44.1
% Hispanic or Latino	27.0
Taxable Value	$437,731,374

COI #12 – Is an enclave to the East of Biscayne Park. It is bordered by the Village of Biscayne Park to the east, the City of North Miami to the north, by I-95 to the west, and the Village of Miami Shores to the south. In 2013, the City of North Miami proposed annexing a portion of the COI in its Gratigny/Dixie Area proposal.

COI #12	
Population	5,654
Units	1,675
Number of Businesses	99
% Below Poverty	12.4
% White	39.6
% Black or African American	63.8
% Hispanic or Latino	25.0
Taxable Value	$110,632,362

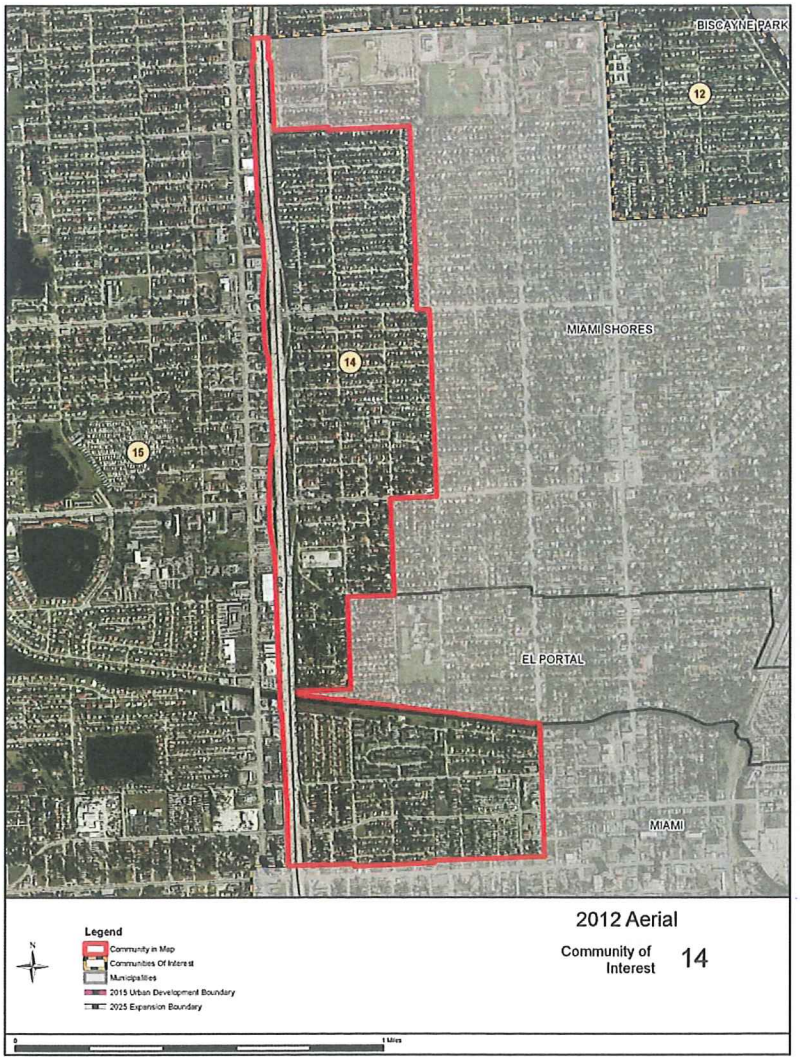


COI #13 – Is an enclave located between the City of Miami Shores and the City of Miami. It is bordered by the Intracoastal Waterway to the east, the City of Miami Shores to the north and west, and the City of Miami to the south.

COI #13	
Population	1,446
Units	694
Number of Businesses	21
% Below Poverty	22.2
% White	63.5
% Black or African American	27.4
% Hispanic or Latino	39.0
Taxable Value	$90,270,454

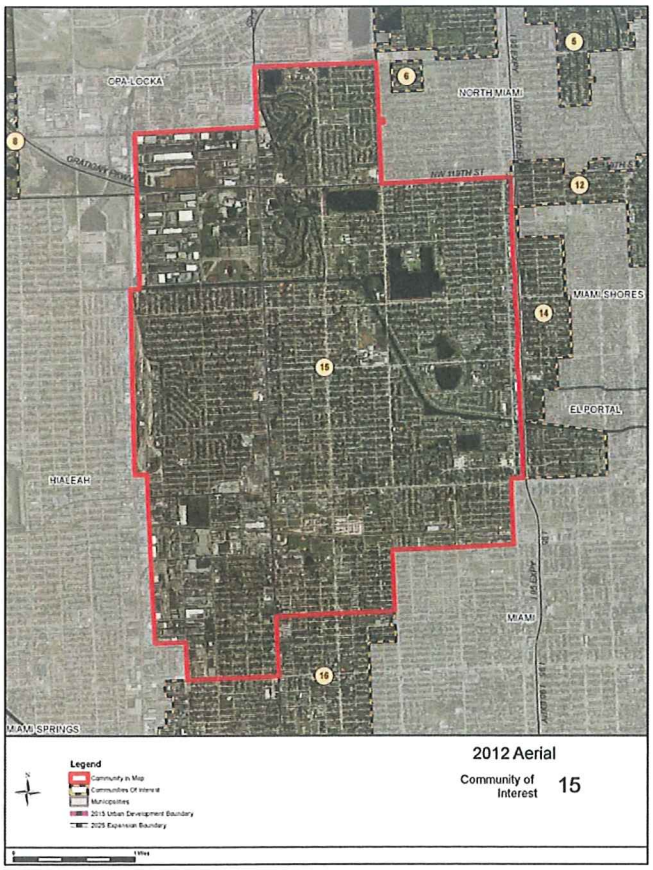
COI #14 – Is an enclave between I-95 and the cities of Miami Shores and Miami. The southern part of the enclave (south of Little River) is part of the West Little River CDP. The enclave is bordered by the City of Miami Shores to the northeast, I-95 to the west, the City of Miami to the southeast, and the Village of El Portal to the east.

COI #14	
Population	9,150
Units	2,865
Number of Businesses	78
% Below Poverty	26.5
% White	20.9
% Black or African American	69.3
% Hispanic or Latino	28.1
Taxable Value	$126,794,144



COI #15 – Includes the whole of the Westview, Pinewood and Gladeview CDPs, and parts of the West Little River and Brownsville CDPs. The borders of the COI are the same as the North Central Dade MAC, created in 2001. It is bordered by I-95 to the east, the Cities of Opa-locka and North Miami to the north, the City of Hialeah to the west, and NW 82nd Street and NW 54th Street to the south. The boundaries of the North Central Dade MAC and COI #15 are the same. In 2013, the City of Opa-locka submitted an annexation application for part of this COI, in its Area B application. There are two existing CRAs in the COI, the NW 79th Street CRA and the 7th Avenue Corridor CRA.

COI #15	
Population	70,812
Units	23,634
Number of Businesses	785
% Below Poverty	26.6
% White	30.8
% Black or African American	62.0
% Hispanic or Latino	37.3
Taxable Value	$1,824,973,915



COI # 16 – Is south section of the Brownsville CDP. It is bordered by the City of Miami to the east, NW 82nd Street and NW 54th Street to the north, the City of Miami Springs to the west, and NE 36 Street to the south.

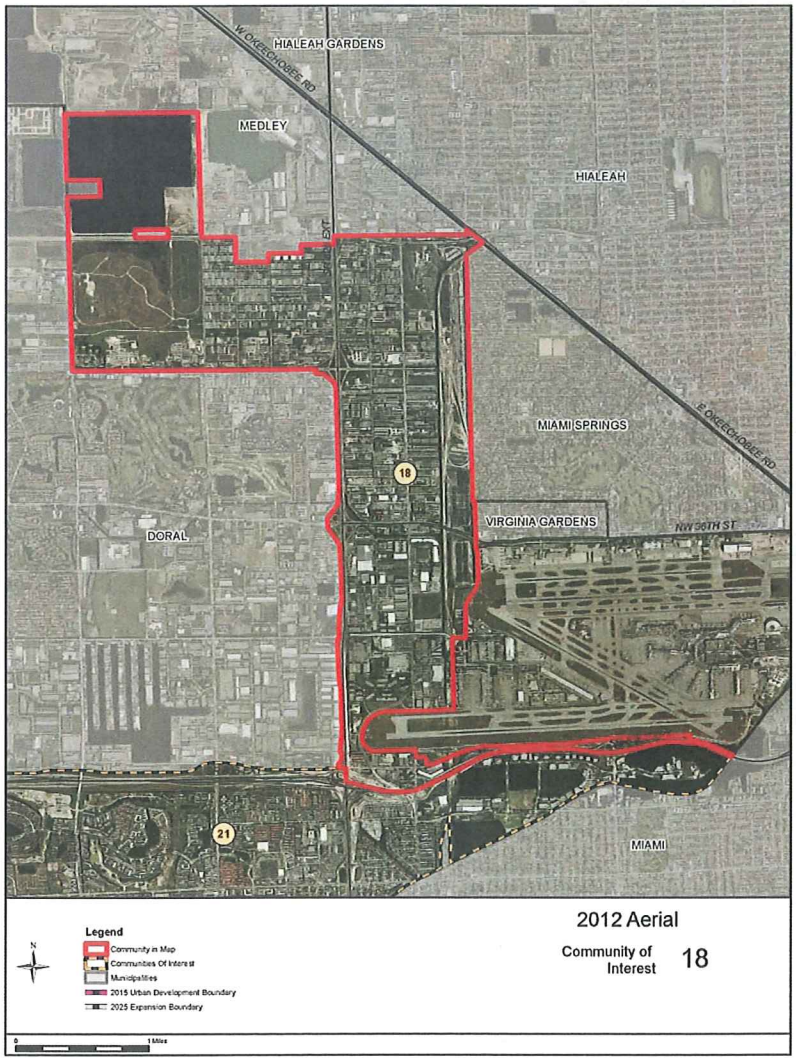
COI #16	
Population	13,938
Units	5,289
Number of Businesses	249
% Below Poverty	31.4
% White	21.8
% Black or African American	72.8
% Hispanic or Latino	28.1
Taxable Value	$308,733,060

COI #17 – Is an enclave consisting of the Upper River neighborhood, east of Miami International Airport (MIA). It is bordered by the City of Miami to the south and East, NW 36th Street to the north and by the Airport to the west. The area is bisected by the Miami River, in a diagonal line from the Southeast corner to the Northwest corner. The banks of the River on both sides are considered by the County to be Areas of Regional Interest.

COI #17	
Population	4,590
Units	1,503
Number of Businesses	203
% Below Poverty	30.4
% White	81.5
% Black or African American	8.5
% Hispanic or Latino	93.0
Taxable Value	$375,982,924

COI #18 –Is an section of mostly commercial area located west of Miami International Airport (MIA). It is bordered by MIA, the Village of Virginia Gardens and the City of Miami Springs to the east, the Town of Medley to the north, the City of Doral to the west, and State Road 836 (the Dolphin Expressway) to the south.

COI #18	
Population	2,152
Units	6
Number of Businesses	1,608
% Below Poverty	16.2
% White	45.9
% Black or African American	53.9
% Hispanic or Latino	38.9
Taxable Value	$1,897,691,191



COI #19 – is the Fisher Island CDP. It is surrounded on all sides by the Intracoastal Waterway. The roads on the island are part of the City of Miami Beach, and therefore, technically are not included in the COI.

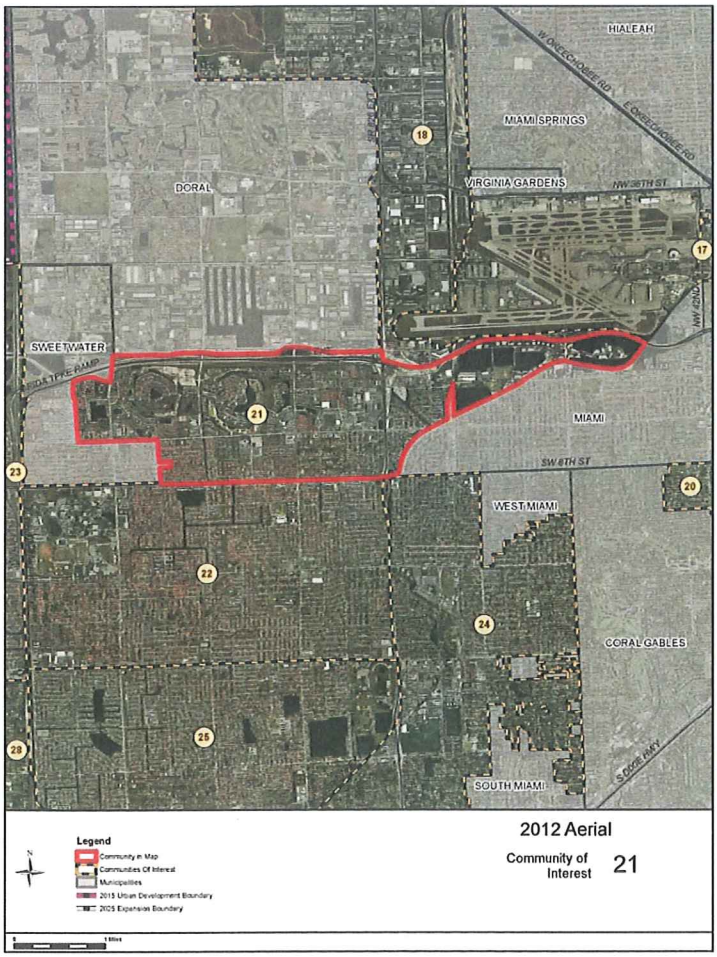
COI #19	
Population	126
Units	209
Number of Businesses	22
% Below Poverty	0.0
% White	92.1
% Black or African American	2.4
% Hispanic or Latino	11.1
Taxable Value	$1,172,569,975

COI #20 – is an enclave consisting of the neighborhood Little Gables. It is bordered by the City of Coral Gables to the west, south, and east, and by the City of Miami to the north.

COI #20	
Population	2,785
Units	1,178
Number of Businesses	0
% Below Poverty	13.4
% White	91.8
% Black or African American	1.9
% Hispanic or Latino	81.1
Taxable Value	$170,937,090

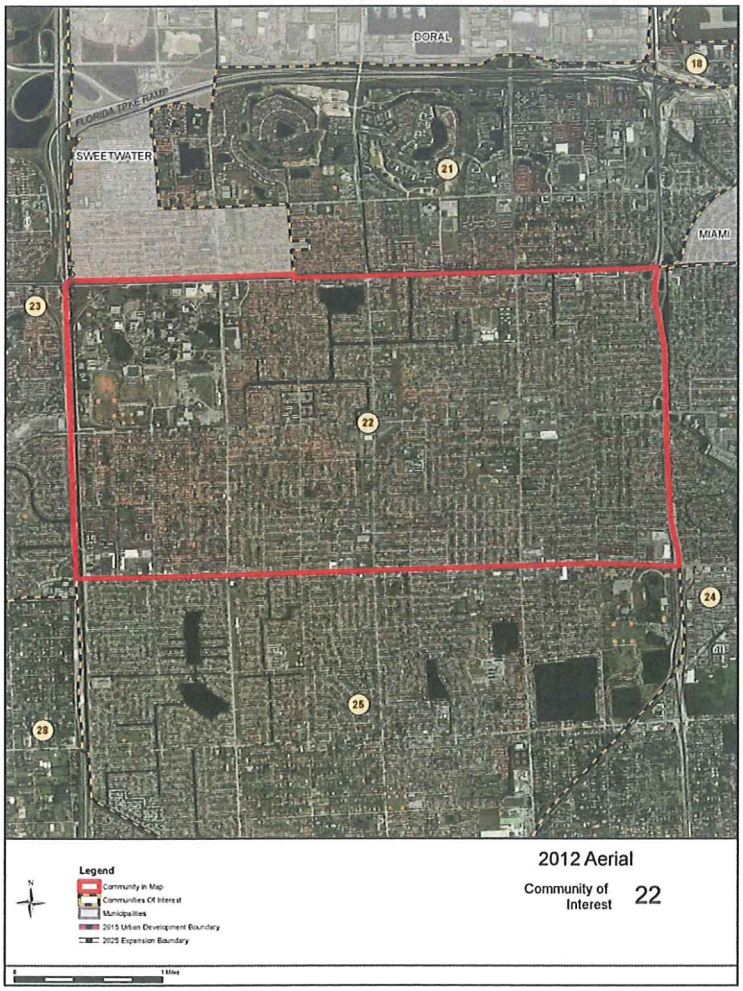
COI #21 – Is the Fontainebleau CDP and the Blue Lake neighborhood in the unincorporated area South of Miami International Airport (MIA). It is bordered by City of Miami to the east, State Road 836 (the Dolphin Expressway) to the north, the City of Sweetwater to the west, and Snapper Creek Canal to the south. In 2002, the Fontainebleau MAC was created. The boundaries of the MAC are contained within this COI. In 2012, the City of Sweetwater submitted an application for annexing a portion of the COI, though the proposal would only annex a right of way and the Florida International University College of Engineering and Computing, thus having no effect on tax base.

COI #21	
Population	57,873
Units	22,709
Number of Businesses	2,188
% Below Poverty	13.7
% White	91.6
% Black or African American	2.1
% Hispanic or Latino	91.7
Taxable Value	$2,775,056,877



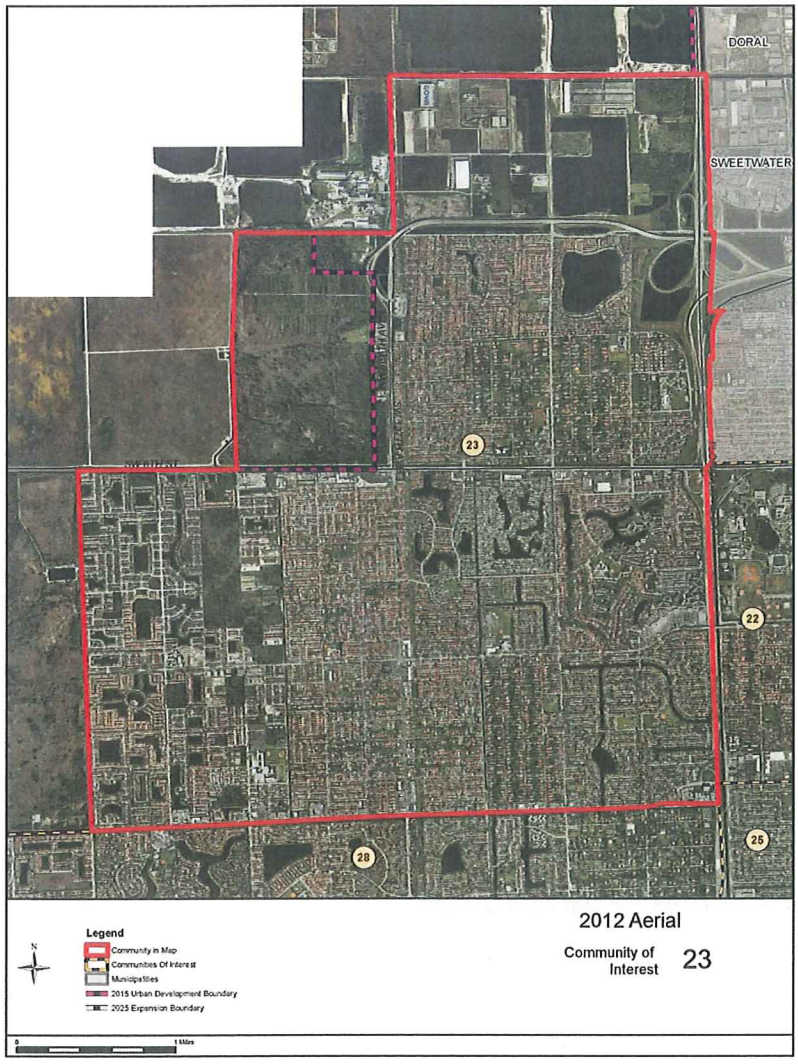
COI #22 – Is the University Park and Westchester CDPs. It is bounded by SR 826 (the Palmetto Expressway) to the east, Snapper Creek Canal to the north, FL 821 (Homestead Extension of the Florida's Turnpike) to the west, and SW 40th Street to the south. In 2012, the City of Sweetwater submitted an application for annexing a portion of the COI, though the proposal would only annex a right of way (SW 8th Street south of the City of Sweetwater), thus having no effect on tax base.

COI #22	
Population	54,720
Units	18,243
Number of Businesses	2,641
% Below Poverty	13.5
% White	96.7
% Black or African American	2.9
% Hispanic or Latino	91.6
Taxable Value	$2,432,125,724



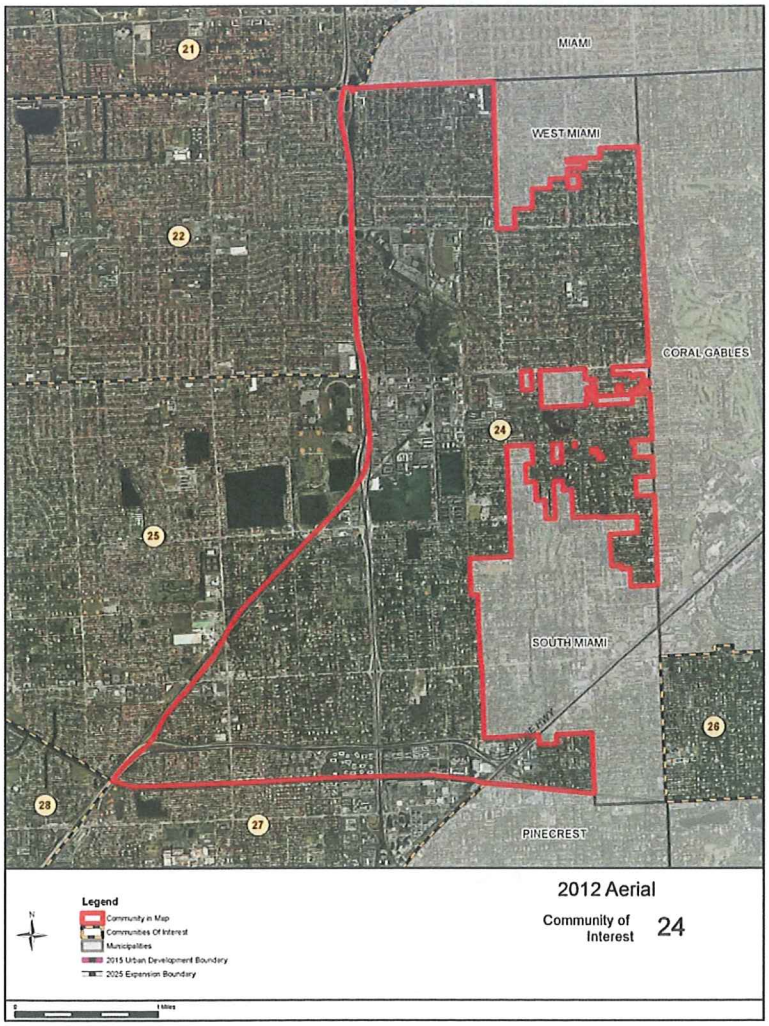
COI #23 – Is the Tamiami CDP and the unincorporated area to the west. It is bordered by FL 821 (Homestead Extension of the Florida's Turnpike) to the east, the UDB to the north and west, and SW 42nd Street to the south. It contains the northern part of the West Kendall Section 1 MAC, created in 2013 by the County Commission.

COI #23	
Population	85,688
Units	26,049
Number of Businesses	2,226
% Below Poverty	11.2
% White	95.4
% Black or African American	1.4
% Hispanic or Latino	92.8
Taxable Value	$4,462,283,358



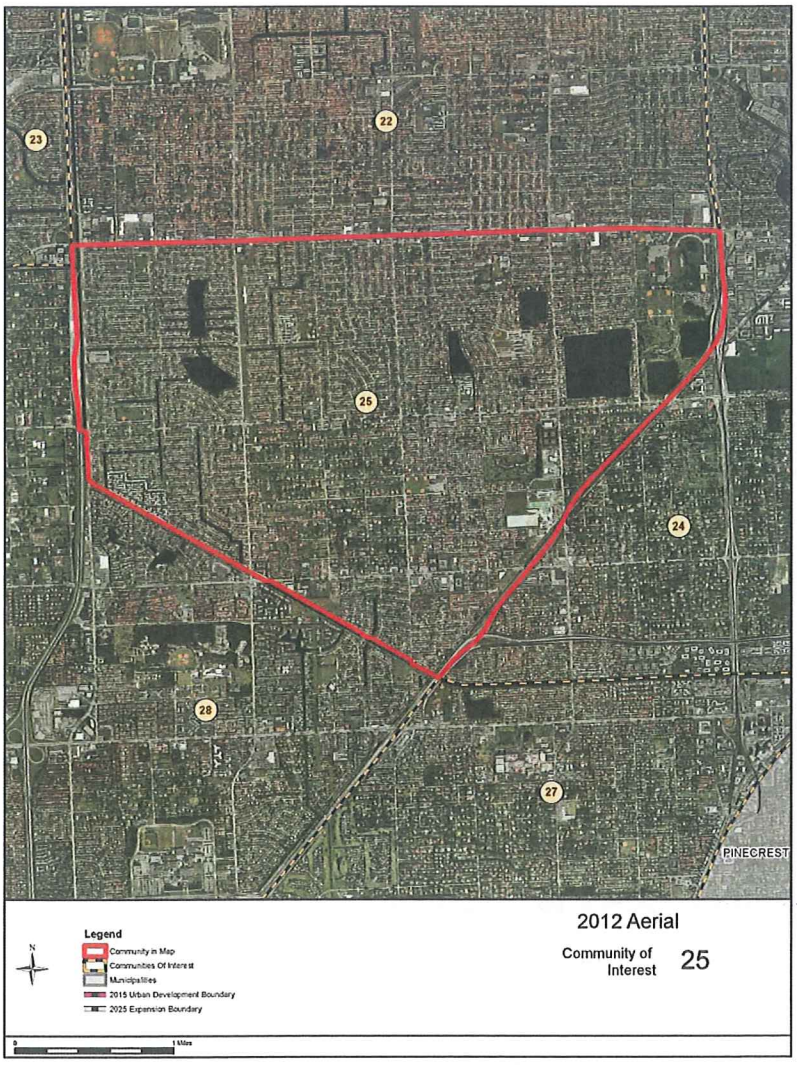
COI #24 – Includes the Coral Terrace and Glenvar Heights CDPs, the section of the Sunset CDP east of State Road 874 (the Don Shula Expressway), and unincorporated area north of South Miami. It is bordered by the Cities of South Miami and Coral Gables to the east, the Cities of West Miami and Miami to the north, State Road 874 (the Don Shula Expressway) to the west, and the Snapper Creek Canal to the south.

COI #24	
Population	47,295
Units	18,823
Number of Businesses	3,247
% Below Poverty	8.1
% White	91.8
% Black or African American	2.8
% Hispanic or Latino	77.2
Taxable Value	$3,534,918,678



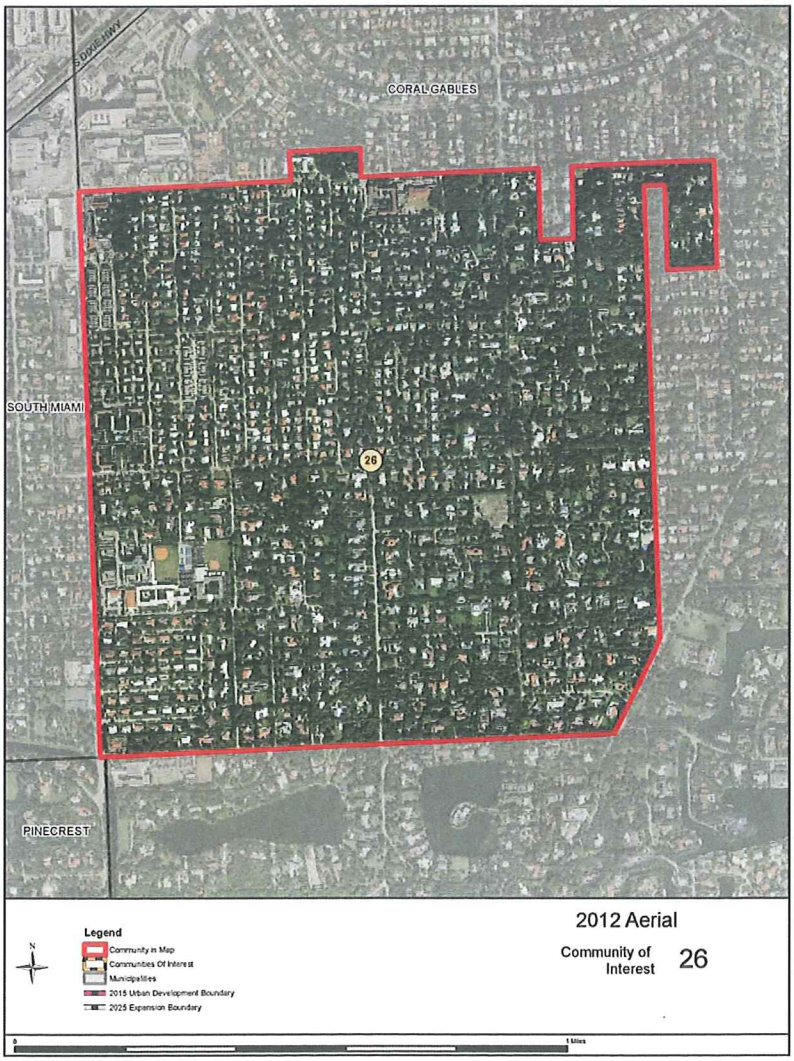
COI #25 – Contains the entire Westwood Lakes and Olympia Heights CDPs, and the section of the Sunset CDP west of State Road 874 (the Don Shula Expressway). It is bordered by State Road 874 (the Don Shula Expressway) to the east, SW 40th Street to the north, and the Snapper Creek Canal to the south and west.

COI #25	
Population	39,784
Units	12,632
Number of Businesses	1,662
% Below Poverty	9.6
% White	94.3
% Black or African American	1.2
% Hispanic or Latino	84.1
Taxable Value	$2,028,578,305



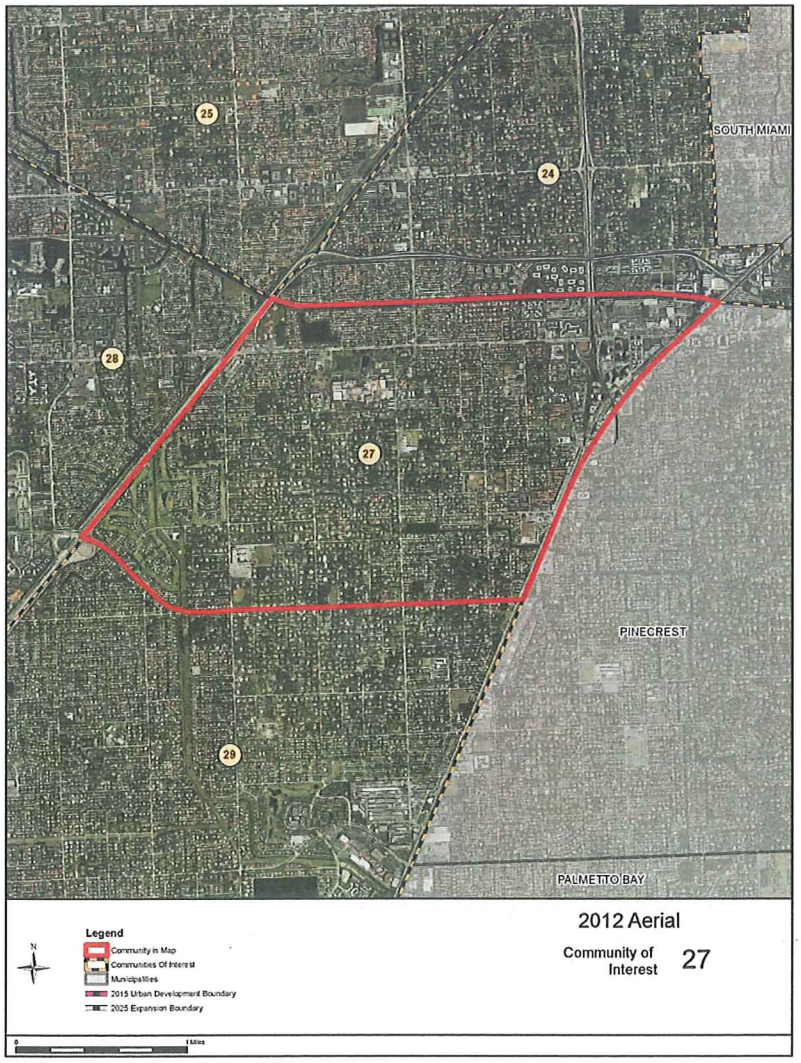
COI #26 - Is the High Pines neighborhood. It is bordered to the City of South Miami to the west and the City of Coral Gables to the south, east, and north. In 2003, the City of Coral Gables made an annexation proposal to the county for a section in the southeast corner of this COI.

COI #26	
Population	3,170
Units	1,355
Number of Businesses	106
% Below Poverty	0.4
% White	93.3
% Black or African American	1.7
% Hispanic or Latino	42.9
Taxable Value	$909,797,579



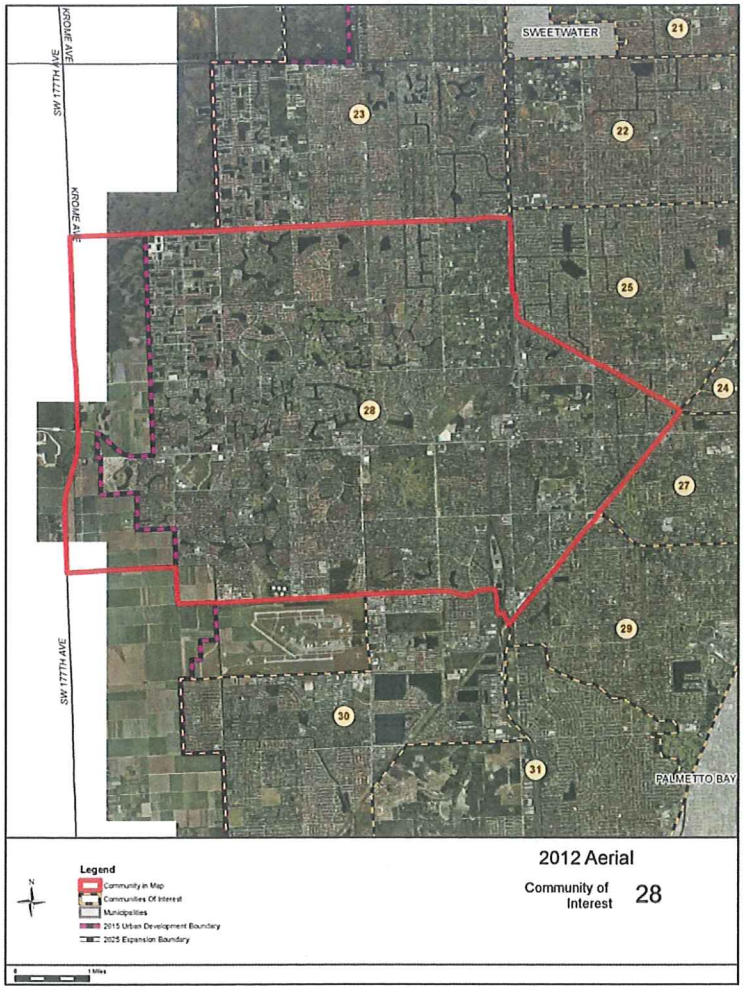
COI #27 – Is the Northeast section of the Kendall CDP. It is known as the East Kendall neighborhood. It is bordered by the Village of Pinecrest to the east, the Snapper Creek Canal to the north, State Road 874 (the Don Shula Expressway) to the west, and Killian Drive and SW 112 Street to the south.

COI #27	
Population	17,992
Units	8,411
Number of Businesses	1,811
% Below Poverty	4.3
% White	87.7
% Black or African American	3.4
% Hispanic or Latino	62.3
Taxable Value	$2,653,244,004



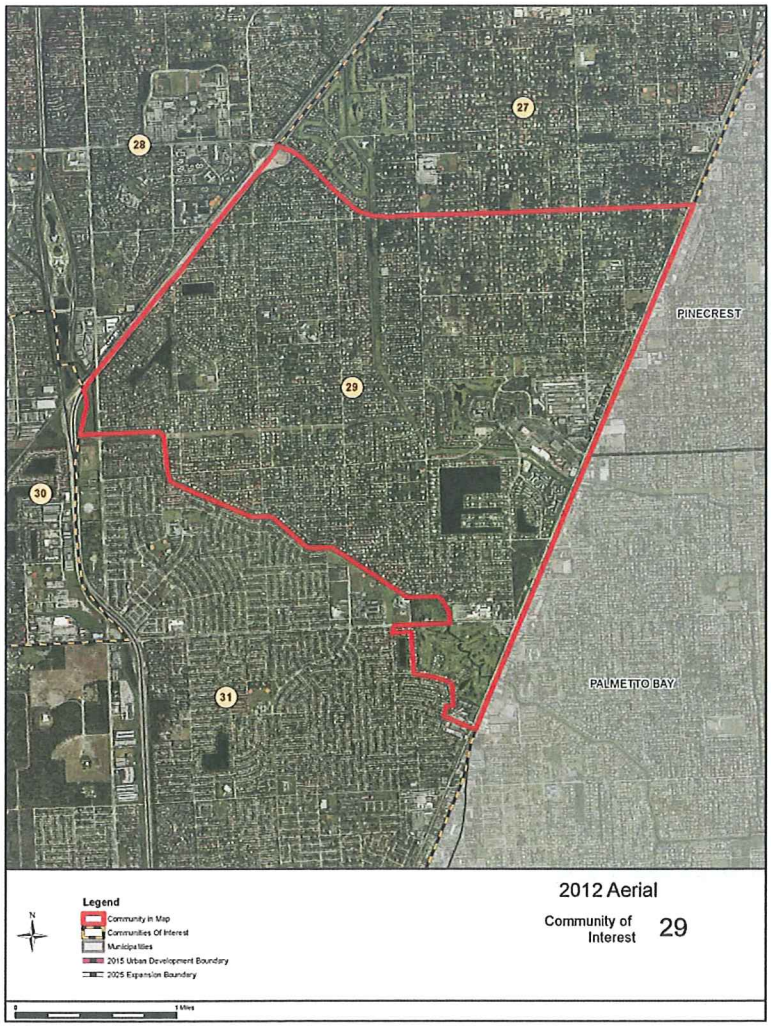
COI #28 – Contains the entire The Crossings, The Hammocks, Kendall West, and Kendall Lakes CDPs, and the section of the Kendall CDP west of State Road 874 (the Don Shula expressway). It is bordered by State Road 874 (the Don Shula expressway) and the Snapper Creek Canal to the east, SW 42nd Street to the north, the UDB to the west, and SW 120th Street to the south. It contains the southern part of the West Kendall Section 1 MAC and the northern part of the West Kendall Section 3 MAC, both created in 2013 by the County Commission.

COI #28	
Population	227,180
Units	80,679
Number of Businesses	5,329
% Below Poverty	10.6
% White	88.8
% Black or African American	3.9
% Hispanic or Latino	80.3
Taxable Value	$9,651,558,826



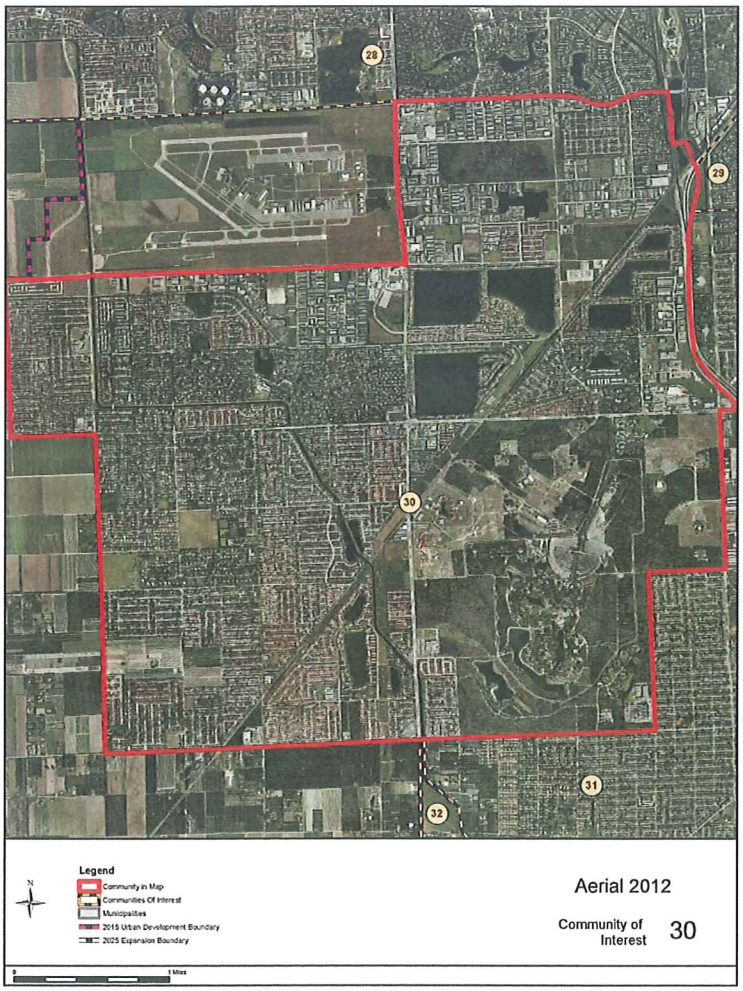
COI #29 – Includes the southeast section of the Kendall CDP, and the northeast corner of the Palmetto Estates CDP (containing a golf course). It is known as The Falls neighborhood. It is bordered by the Village of Palmetto Bay and the Village of Pinecrest to the east, Killian Drive and SW 112 Street to the North, State Road 874 (the Don Shula expressway) to the west, and the C-100 Canal (including the golf course property that the canal intersects) to the south.

COI #29	
Population	20,737
Units	7,578
Number of Businesses	1,106
% Below Poverty	4.8
% White	85.6
% Black or African American	6.8
% Hispanic or Latino	50.4
Taxable Value	$1,948,458,029



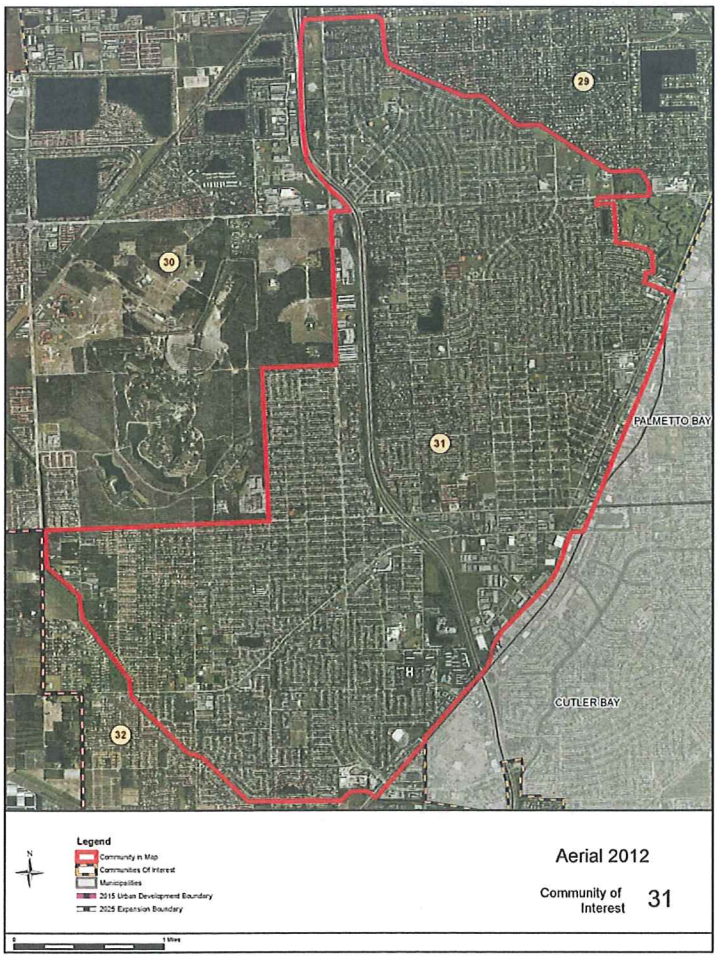
COI #30 – Includes the Three Lakes, Country Walk, and Richmond West CDPs in addition to the MetroZoo and the University of Miami South Campus. It is bordered by SW 117th Street and FL 821 (Turnpike Extension) to the east, SW 120th Street and the Kendall-Tamiami Executive Airport to the north, the UDB to the west, and SW 184th Street to the south. It contains the southern part of the West Kendall Section 3 MAC, and the western section of South A MAC, both created in 2013 by the County Commission.

COI #30	
Population	63,017
Units	20,293
Number of Businesses	1,634
% Below Poverty	6.1
% White	80.7
% Black or African American	9.5
% Hispanic or Latino	72.9
Taxable Value	$3,391,976,215



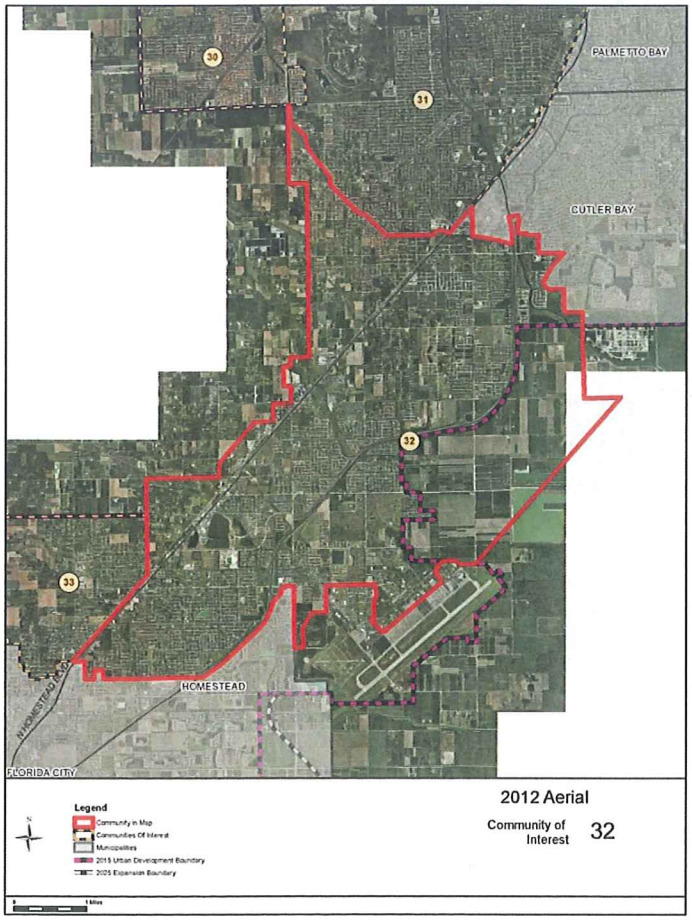
COI #31 – Includes the Richmond Heights, Palmetto Estates, West Perrine, and South Miami Heights CDPs, and additional commercial/industrial area located between the South Miami Heights and West Perrine CDPs. The COI is bordered by US 1 to the east, the C-100 Canal and SW 152nd Street to the north, MetroZoo, /SW 117th Street and FL 821 (Turnpike Extension) to the west, and the Black Creek Canal to the south. In 2013, the South MAC -- A was establish by the County Commission. The MAC is contained within the boundaries of COI #31. The existing West Perrine CRA is located in the COI.

COI #31	
Population	69,458
Units	21,601
Number of Businesses	1,647
% Below Poverty	17.6
% White	52.4
% Black or African American	39.4
% Hispanic or Latino	52.5
Taxable Value	$1,637,597,116



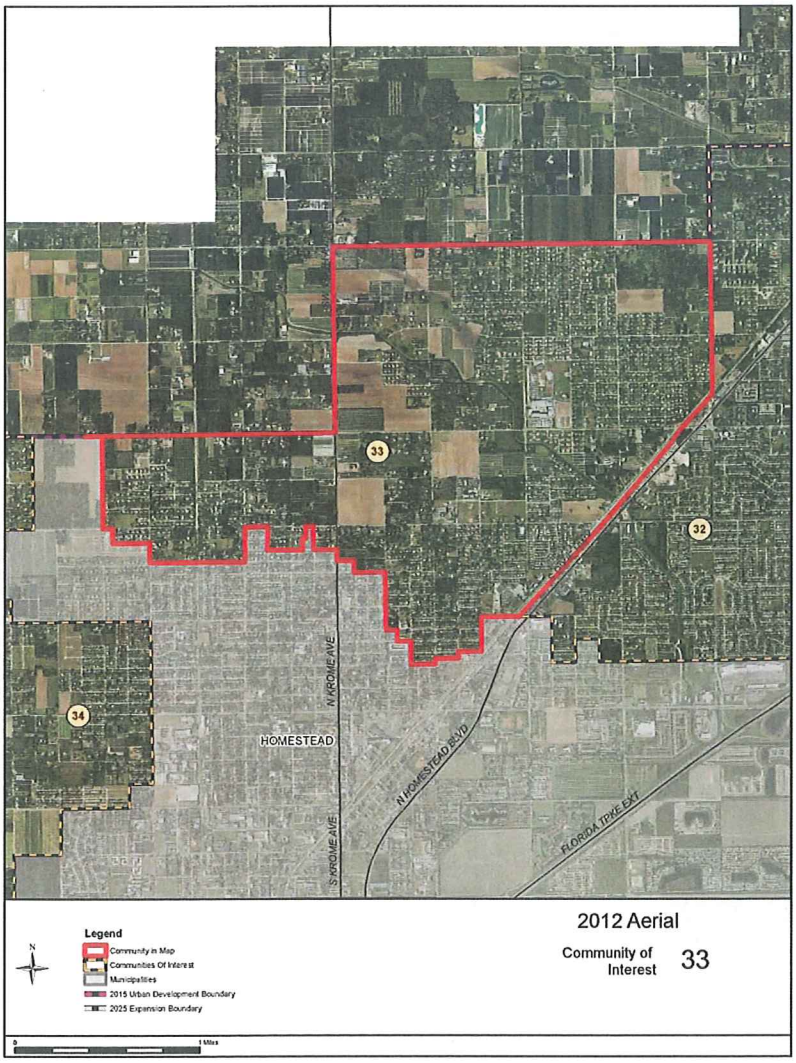
COI #32 – Includes the Leisure City, Naranja, Princeton, and Goulds CDPs, parts of the Homestead Base CDP and additional unincorporated areas of the County. It is bordered by the UDB and the Town of Cutler Bay to the east, Cutler Bay and the Black Creek Canal to the north, the UDB, SW 157th Avenue, and Old Dixie Highway to the west, and the City of Homestead and the Homestead Air Reserve Base to the south. In 2013, the South B MAC was established by the County Commission. The MAC is contained within the boundaries of COI #32. The COI also contains the southern portion the South A MAC. COI #32 also includes the existing Naranja CRA.

COI #32	
Population	82,016
Units	26,050
Number of Businesses	1,598
% Below Poverty	24.9
% White	60.5
% Black or African American	31.2
% Hispanic or Latino	61.2
Taxable Value	$2,045,510,466



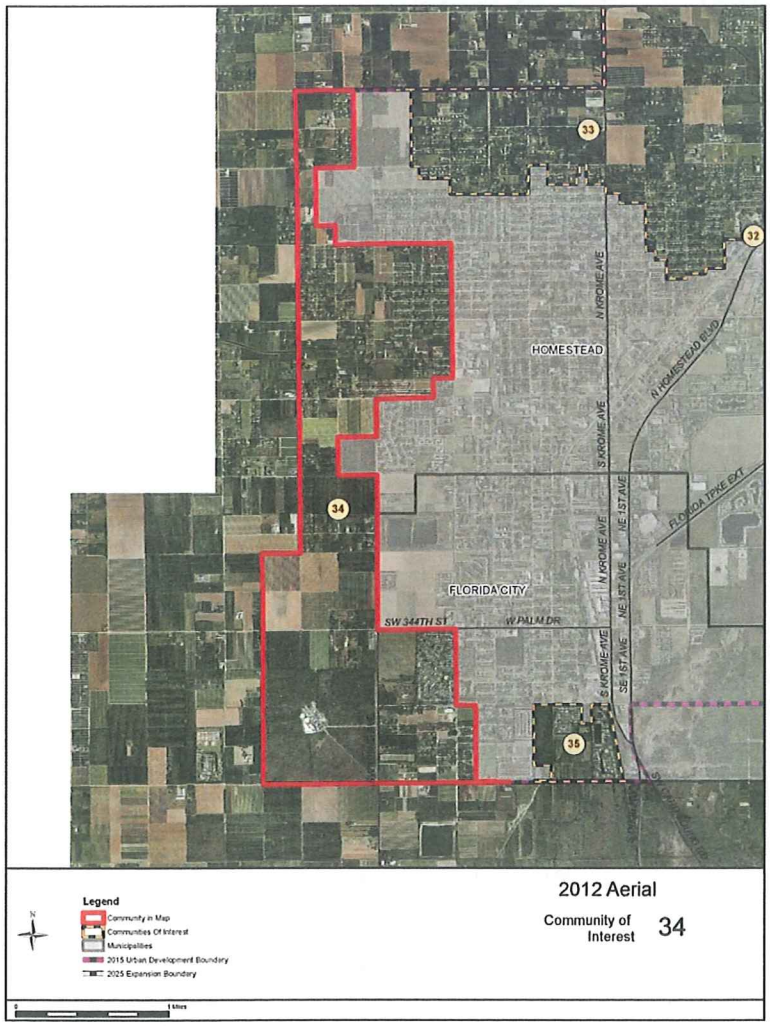
COI #33 – Is the Redlands neighborhood. It is bordered by SW 157th Avenue and Old Dixie Highway to the east, the UDB to the north, and the City of Homestead to the west and south.

COI #33	
Population	7,550
Units	2,542
Number of Businesses	223
% Below Poverty	11.0
% White	85.0
% Black or African American	7.7
% Hispanic or Latino	48.3
Taxable Value	$295,432,903



COI #34 – Is the unincorporated area west of the City of Homestead and Florida City. It is bordered by the City of Homestead and Florida City to the east, and the UDB to the north, west, and south. In 2005, Florida City proposed annexation of part of COI #35 (Area D). In 2011, Florida City proposed annexation of a smaller part of COI #35 (Area H). Both of these proposals are still active with the County Commission.

COI #34	
Population	4,373
Units	1,553
Number of Businesses	58
% Below Poverty	24.5
% White	83.5
% Black or African American	6.2
% Hispanic or Latino	58.2
Taxable Value	$107,938,752



COI #35 – Is the unincorporated area south of Florida City. It is bordered by Florida City to the east, north and west and the UDB to the south. In 2005, Florida City proposed annexation of all of COI #35 (Area D). In 2011, Florida City proposed annexation of a part of COI #35 (Area H). Both of these proposals are still active with the County Commission.

COI #35	
Population	573
Units	321
Number of Businesses	4
% Below Poverty	29.8
% White	95.3
% Black or African American	1.9
% Hispanic or Latino	28.6
Taxable Value	$4,048,823

APPENDIX B

PUBLIC OUTREACH

PUBLIC COMMENTS RECEIVED
FOR THE INCORPORATION/ANNEXATION STUDY

The following are the comments received during the public outreach portion of the Incorporation/Annexation Study. Part 1 provides the notes taken at each of the three public meetings. Part 2 contains the Public Notices, Agenda and other materials provided at the meetings. Part 3 includes comments received after the public meetings by e-mail.

PART 1
PUBLIC MEETING COMMENTS

Notes from Miami-Dade County Meeting: (3/19/2015 - South Dade)

Persons attending: 93

The points below were areas of discuss and questions that came up:

- Why should the county incorporate all lands?
- Tax monies go to north section of the county.
- The meeting was underpublicized.
- Area that is around the airport that is unincorporated is fighting annexation, but the land owners can't vote.
    - Should create a new "quasi-judicial" area like the Omni.
- UMSA rate is below 2.00, other municipalities are all above that rate (except for 2)
- There is no way to enforce the promises made once annexation is completed.
- Will the study take into consideration the historical aspects of the communities like the Redlands?
- What would happen to the agricultural areas?
- Will previous MACS work be taken into consideration? (old Redlands MACS). There was much hostility and anger after Hurricane Andrew.
- The 2004 MAC report for Redlands Edge needs to be reinstated.
- Incorporation would increase the ability to apply for other funding, like grants etc.
- USMA is 27% of the county budget.
- Richmond Heights – is not aware of what is going on. No information for the commissioner. People have no chance to vote; and they need to be educated on issues so they can vote correctly.
- What are MACS and what do they do?
- The vote on these issues should be more than 51%.
- Why does the county decide what revenues to keep or give away?
- Existing municipalities are "nibbling" away at the UMSA area.
- Unincorporate the entire county.
- What about the people, who are elderly, can't drive, how do they participate in meetings such as this? There needs to be a way to involve them at this level.
- The County Charter should be addressed about where the revenues go.
- The public wants the commission and the county to listen to the people.
- There is an organization in Miami-Dade County named "Link" and they are experts in incorporation.
- Low tax rates are in Pinecrest, Cutler Bay and Palmetto Bay.
- The number 1 priority is that all the UMSA population needs to be notified by USPS of meetings.
- Some areas feel threatened by the surrounding municipalizes.
- There is "gerrymandering" being done.

- "Receiver areas" – the areas that are less affluent and below the "breakeven point" for annexation. County should sweeten the pot.
- There are currently 34 municipalities, are any of them sorry they became incorporated?
- There needs to be better notice for meetings.
- Need more knowledge of meetings.
- How did Homestead "jump over" areas to get areas of Goulds?
- Does the Zoo pay taxes?
- The UDB Study states that Krome will be 4 lane
- How do MACS form? The process needs to be more open. How do the boundaries get drawn?
- Where is the actual monies that are collected going?
- If a community decides to incorporate and the revenues go down, why can't MDX "donate monies to assist new community?
- There is no code enforcement.

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 19, 2015

Name	Organization	Telephone	E-mail
Jose Fernandez	MDC		
Vanida Benjamin	Neighbor	(703) 585-1278	edmhis@gmail.com
James Hughes		(T) 523-9040	James Hughes 3343@ aol.com
Judy Palmer			jpalmer1@aol.com
DELILAH COLLINS			
Brenda Bibbs		305-609-0592	brendabibbs@bellsouth.net
Reynault Brown		305-252-1735	
KEN FORBES	NLCRA	(786) 410-5564	ccoordinate@bellsouth.net

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 19, 2015

Name	Organization	Telephone	E-mail
Enid W. Dewis		786-333-4137	enidwash@bellsouthnet
Brenda Molnet		7862983614	
Arundrella Hamed		(305) 836-2776	alh48@hotmail.com
Rev Larry D. Jones			PneumaI@comcast.net
CAROLYN BALLARD		~~305~~	LAKORAW@YAHOO.com
LaFreida Granberry		305-469-9237	
Lori Burton		(786) 278-5114	lori777williams@gmail.com
JL Demps Jr		786 380-7776	jldemps@bellsouth.net

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 19, 2015

Name	Organization	Telephone	E-mail
Frances Zorro	Homeowner	305 981-2159	
Rickey & Dorothy Lenon	Homeowner	786-274-7991	le3global@yahoo.com
Linda Fredrick	Homeowner	305 302-5611	LLF JMF@bellsouth.net
ELLSTON	HAMILTON	7862308711	
Willard III Ward	Homeowner	305-761-3712	—
Wendy Wdlansky	Home owner	786-314-9855	
Phillip Wdlansky	Home owner	786-314-9855	
PHILLIP MURRAY	CONCERN CITIZEN	305-257-1397	

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 19, 2015

Name	Organization	Telephone	E-mail
LEE A. WATERS, JR	HOMEOWNER	(305) 238-6109	
Sadie M. Miller	Homeowner	305-378-9461	
Nancy Cavellero	Homeowner	305-772-65?6	
Helene Canals	Home owner	305-851-0284	
Ed Hgang	"	786 295 6525	
Luis Torres Elisa Torres	Homeowners	786-349-7998	
Veda Brown-Dallas	Homeowner	305 496-6196	
Robert Bells	Homeowner	786-390-2000	

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 19, 2015

Name	Organization	Telephone	E-mail
Kenneth Lair	Home Owners	305-251-4431	KenLairCyahoo.com
MACK SAMUEL	MAC	786-623-9159	UNITEDSERVICE@BELLSOUTH.NET
LEONARD J. ANTHONY	Condo Owner	305-245-5573	golfloni@att.net
Cully WAGGONER		786 374 4932	CULLYWAGGONER@BELLSOUTH.NE
Libby Perez	MAC Kendall #1	3/ 305/8530	libby@libbyperez.com
Jorge Guzman	Home owner	305-206-3419	Jorge-Guzman@me.com
[illegible]	MDC Dist 9 - A.	786 216 8861	[illegible]
GARY J. DUFEK	NONE	305-233-5195	

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 19, 2015

Name	Organization	Telephone	E-mail
Kathy Charles			Kathycharles@bellsouth.net
TOMA MCCASKILL		305-238-0898	TMCCALL225@aol.com
Nathaniel Wheatley		305 252-3402	
Gregory Gay	City of Opa Locka	305 953 2968	GGAY@OPALOCKAFL.GOV
R Harrington-Bey		3052441671	raynardbey@yahoo.com
Samuel Armstrong		305-232-2291	samuel908@att.net
Carol Hughes-Bynum		305-775-2840	chughes-bynum@att.net
Martha Hughes		305-253-8525	

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 19, 2015

Name	Organization	Telephone	E-mail
Deidre Smith		305-235-6033	DSmith07@bellsouth.net
Marilyn Rolfs		3/2583536	Rolfs@bellsouth.net
Paula Tarpley		305-258-4180	CATS@outlook.com
Patricia Bethel		305) 235-5447	
Lloyd & Dorothy Miller		(305) 247-4189	lamdot@bellsouth.net
Bettie Cole	Homeowner	305 216-4822	
GERRY IZIANI	HOMEOWNER	305-232-1795	gtiz5555@aol.com
Martin Motes	Homeowner	305-247-4398	Martinmotes@gmail.com

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 19, 2015

Name	Organization	Telephone	E-mail
Lula Randall	SWDDC	305 2323250	lula.randall1 @gmail.com
J. Rivera	Office of Comm. Affairs	305-245-4420	JRivera@miamidade.gov
Dolores Dunklin	Luther Ridge Club Women's	305-431-5819	MADAMED2013 @YAHOO.COM
Alphonso McCray	Perrine Community Advisory Committee	786-624	Alphonsomccray @hotmail.com
Mrs Williams	SOUTH DADE MAC	305-979-5000	
Tom David	AARP		
Amos Jordan	VFW post 8197	789-459 5226	
Gigi Bolt	Miami-Dade County		

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 19, 2015

Name	Organization	Telephone	E-mail
John Sykes		305-235-9446	Sykes1@Bellsouth.net
Arlene Samalion	24251 SW Krome Ave Redland FL 33031	305-248-5006	Airline6@aol.com
SIDNEY ROBINSON	TROPICAL FRUIT GROWER REDLAND CITIZENS ASSOC	305-542-0535	SANDY ACRE REDLAND @BELL SOUTH-NET
Chester Fair, Jr	Resident of Richmond Hgts.	305-979-0752	Chester.fair@att.net
Kenneth Johnson	Richmond Heights Homeowner	3057385879	gdjss11@bellsouth.net
Ramon RAMOS	FT. BLUMAC	3055882880	RRLCSW@HotmAiL.com
DEBORAH LAMB		786-301-0668	LAMBSCAPES@AOL.com
Lubirth Jenkins		786-691-7175	

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 19, 2015

Name	Organization	Telephone	E-mail
Clyde Young		305-235-9461	
Weathers		(305) 235-3920	
Quinton Parrish		(786) 346-2699	QJParrish@yahoo.com
DELILAH COLLINS			Delilah12302@hotmail.
* Rubiett Jenkins	WEDS Agenda + Discovery PTS	Scnyo58@gmail.Com 786-691-7175	
Otis Armstrong	Perrine	305 982-2723	oarmstrong03 @yahoo.Com
* MARLYNE BLAKE	SCWD Agenda + Points	305 253-4710	MVSAGE@MSN.com
Nilka Gomez		786-439-5904	nilkagomez082008@gmail.com

Notes from Miami-Dade County Meeting: (3/24/2015 - West Dade)

Persons attending: 25

The points below were areas of discuss and questions that came up:

- The question was asked, "Define MACS and CRAS." These definitions were given to the group.
- Need clarification of what are the unincorporated areas. Also how does this interact with UDB?
- The criteria for the Communities of interest were discussed and outlined. Question was raised regarding what would happen to the areas beyond the UDB.
- What will happen to the existing MACS – can they still go ahead with applications to the County if everything id decided?
- Is there a current list of municipalities who want to annex areas in the County?
- Would the report recommend that certain areas go to a certain municipality?
- What could happen to enclaves?
- Why was "tiering" established?
- Make sure the services are made available to the public.
- Point was made that the County Code does not allow industrial areas to vote on incorporations or annexations.
- How did Broward County do incorporations/annexations? Answer their county charter is different.
- What problem is this study trying to solve? Answer (from audience) – so the county can act as a regional authority.
- What is the economic impact on a person? How will it be handled?
- Revenue generation: What will happen to a property is there is a multi-year lease? If property decreases or increases in value?
- Will the findings be published?
- What is/are the impacts on businesses? will report look at the pros and cons?
- Increasing taxation cannot help economic development.
- Areas that are annexed will have their taxes increase 3 times what they are now.
- There will be distress sales should taxes increase.
- What are the benefits to me to incorporate?
- How does Incorporation help me? How does incorporation help property values?
- Does county staffing decrease? (Due to cut in revenue)
- Is there statistical data on cities that incorporate?
- Would this lead to privatization?
- Discussion on utility taxes and franchise fees ensued.
- How will this effect Special Taxing Districts? (i.e.: CDD, etc.)
- How will this affect the county debt? And its ability to pay back its debt?
- Would county debt be eligible for refinancing? Will any county debt be inherited?
- What about the Bond rating?
- Statement- at this time there are four county unions who have no contracts? How does this figured into the equation knowing that all insurance costs will go up.

- How will these options affect the current codes?
- What about MDWS – their ability to sell and repay bonds?
- Will bonding go to voters?
- What cities, once they have annexed or incorporated, has the tax rate gone down?
- Incorporation causes pensions to rise.
- If you form a city you do not have to pay pensions.

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 24, 2015

Name	Organization	Telephone	E-mail
Carlos Jimenez Christina Jimenez		305 618 2882	CarsJimInc@MSN.com
E. Lewis Burrowes	COCO	305 450 6805	ELBurrowes@AOL.com

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 24, 2015

Name	Organization	Telephone	E-mail
GUILLERMO GALIS	N/A	305-987-1161	GGALIS@BELLSOUTH.NET
Katherine Bragdon		540-623-3625	Kbragdon@marstel-day.com
ERICA TIRSE	N/A	786 5569876	tirse4791@gmail.com
GERALD LEE	N/A	305 807-8545	gleeplan@gmail.com
Jaime Villegas	WAF	786/2016415	Jaimeville@hotmail.com
FLASH	LASALA LAW FIRM	305-911-0123	
Stan Freedman		305-592-5940	S.Freedman@att.net
ANDRES LYHONES (RUZ		786-261-7817	adlinares@gmail.com

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 24, 2015

Name	Organization	Telephone	E-mail
RAMON V. ARBESU	NEIGHBORS	(305) 333-4891	~~ARBESU@~~ ILEANAARBESU@GMAIL.COM.
FELIX LORENZO	NONE	305-227-2511	FELOM@BELLSOUTH.NET
Steve Isakson	none		steveisakson@bellsouth.net
ANGIE CARCASSES	NONE		
RAMON RAMOS	SELF	305 388 2880	RRLCSW@hotmail.com
JESUS CARCASSES	Self	(305)229-9535	JESUSCARCASSES@G.mail.com
CLAUDE FABRE	SELF	305-229-0488	CLAUDEF5@BELLSOUTH.NET
Maud Dony	Self	786.207841	—

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 24, 2015

Name	Organization	Telephone	E-mail
Horacio Stuart Aguirre			horacio@hsaguirre.com
Maria E. Leon		305 345-1372	EMC_LEON6@Bellsouth.Net.
Ernest Thomas			jensgroreder@gmail.com
Jose L. Rodriguez	Concerned Citizen of West Dade	786-246-7989	ccowd1@yahoo.com
Martin V. Rodriguez		305-713-0277	M1rodrig@Bellsouth.Net
Aster Mohamed			[redacted]
Kerri Barsh	Greenberg Traurig	305.579-0772	BarshK@gtlaw.com
EDUARDO M. SUÁREZ		305-552-0129	emsuarez@prodigy.net

Notes from Miami-Dade County Meeting: (3/25/2015 - North Dade)

Persons attending: 60

The points below were areas of discuss and questions that came up:

- Commissioner Zapata is moving forward with incorporation of Kendall.
- Incorporations will squeeze the finances that are available to the UMSA areas.
- How do we fund the areas that are not "donor areas?"
- Skylake area- is a "high donor area" Highland Lake believes that they are a :high "donor" area"
- The NE Area MAC-have debated the issues regarding annexation and/or incorporation-feel everything should remain the same.
- What about the "mitigation cost" that is payable to the county? How will that figure in?
- What about emanate domain? How does that impact us?
- Enchanted Lakes (1998) is against incorporation. They do not need another layer of government as they have covenants.
- Communities of interest must decide on own. The County treats the UMSA areas as a whole and they are not. Must listen to the people.
- Trim the number of commissioners with no North Central Area.
- The County did not come up with the annexation plan but seem to prefer it.
- "Commission of Choice" – Choose not to have Zoning Council. Commission must take charge and not do studies by consultants.
- North Central-how can they afford to buy police services for 1st 2 years when the cost would be $5 million dollars? (this is the budget they came up with)
- The Mayor said (on Channel 23) that taxes would go up with annexation and/or incorporation.
- In the meeting on 2 27 2014 meeting – a vote was taken at the NEMAC that was 22 against incorporation and 9 for incorporation.
- The NE MACS wanted to read in the 2005 PMG Associates, Inc. Report that some issues were a quality of life, local representation and being a donor community or not.
- The report also stated that the people should have a vote on the issues as the nature of the issue raises passions and one size does not fit all.
- The NE MAC has only 18,000 people and an extra layer of government may not be worthwhile.
- 1983 after the riots, a department was created, but issues today are the same issues as before. There has been a lack of progress since the 1980's.
- Annexation id not attractive.
- County has not done the infrastructure improvements that they promised. County withholds fees and the fees do not go back into the communities that need it.
- If annexed now all monies would go to the county not the city.
- Need to assess the impacts on businesses. Especially those leased businesses.
- What is the different between the County and State Charter?
- September 2013 there is a "Task Force" report and what impact does it have now?

- A representative from Biscayne Park spoke to the streamlining of the process of annexation for small cities. May need to annex areas to help with their budget. County should consider intelligent boundaries. Smarter dividing lines. What areas could come out of existing cities?
- What would happen if one area wants to annex and one incorporate?
- There are quality of life issues and the county does not take them into consideration.
- Must make the county decide if they will continue in municipal services.
- What would happen if area(s) do not incorporate?
- NE MAC raised question of setting the possible minimum size of incorporation.
- Quality of life is very important as there should be local control.
- The McDuffie Riots brought up the point of quality of life and improvements to communities.
- Miami Gardens is an example of when incorporation running smoothly.
- If county continues to lay off staff, what will quality of life be in the future?
- If a city government exists that governmental body would be more responsive.
- Aventura-policies created "cherry picking,"

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 25, 2015

Name	Organization	Telephone	E-mail
Ben + Trudy Lechner	Lakes HOA Sky-Lake-Highland	305-931-1593	@aol.com YANNIA trudee
Jon Mota	NEMA	305-788-0539	jbm31 1 bellsouth.net
GERARD G. MOSS		305-931-4843	
Manny Weeks		786-344-3268	nuarc7@yahoo.com
MACK SAMUEL	LINC	786-623-9539	MACKSAMUEL@ bellSouth.NET
BRIAN JONES		786-345 5299	bdenzisbotsm@yahoo.com
Martha Aguila	Home owner	305 914-4206	marvalderrama@hotmail.com

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 25, 2015

Name	Organization	Telephone	E-mail
Glory Coley	Home owner	(305) 685-0646	glorycoley@yahoo.com
Nicole Bieber	[redacted]	9195999968	[redacted]
LEO STEWART	TRI COMMUNITY INC.	305 798 2746	[illegible] Not Sekh.
Doretha Nichson	NO Cntl Dade Coalition	305-318-5741	nichson@att.net
William Clyde	Homeowner	305-335-4641	[illegible]
RICHARD LORBER	North Miami Beach	305-354-4441	richard.lorber@citynmb.com
Heidi Siegel	Village of Biscayne Park	305-899-8000	villagemanager@biscayneparkfl.gov
John W Davis	BGCA		

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 25, 2015

Name	Organization	Telephone	E-mail
John Chibbaro	Greenberg Traurig	305-579-0568	chibbaroj@gtlaw.com
Madeline Langbaum	Skylake Sheffield Lakes Home Owners	305-931-2089	SLHLBoard@gmail.com
Ryn Gordon	Bsc Gardens Civic Assn.		
BOB WEISBLUM	SKYLAKE HOMEOWNER	305-935-0524	RWEISBLUM@COMCAST NET
Anne Cates	Biscayne Gardens Civic Assoc.	305-685-3010	annecates@comcast.net
ARV Rumbaitis	self	305-682-0457	Rmbaitis@yahoo.com
Gonzalo De La Cruz	SL/e	305 915 1461	

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 25, 2015

Name	Organization	Telephone	E-mail
Stanley Jacobs			
JJ Chisholm			
Rosalyn Kaye			
Stanley B. Kaye			
Maria de Rio	Self	786-565-5091	Rmmbaltis@yahoo.com
Leroy Forbes		305 318-2873	big-560@Live.com
R. Kenneth Bluh	T. Kendall INCorp.	786 247 0547	Kenneth.Bluh@columbuscl.com
Ernest Callandet	Home Owner	-	

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 25, 2015

Name	Organization	Telephone	E-mail
David Nizel	Homeowner	305 610 8504	dnizel@yahoo.com
E. Louis Burnside	COCO	305 450 6805	ELBURNSIDE@AOL.COM
Karen Greene	homeowner	3593638033	karengreene1@bellsouth.net
Sharon Curls	homeowner	305-935-9646	sankyices@msn.com
Milton Moon	Hom Own	305 628 7638	—
Terry Murphy	Chairman Monestime's Office	3053226707	murphytc miamidade.gov
Opal Callander	Homeowner	(305) 219-7376	a-divineluv@yahoo.com

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 25, 2015

Name	Organization	Telephone	E-mail
Josué Leger	City of Opa-locka	305-953-2868	JLeger@opalockafl.com
Roxanna Ross	Village of Biscayne Park	305-710-0620	rross@biscayneparkfl.gov
Chuck Ross	✓ ✓	305-710-6629	CARossOa@bellsouth.net
Jacci Seskin	Sky Lake Highlandlakes HOA	3/547-0253	
Marjorie Scott			
Paulette H. II			
Marie Marable		305-785-1683	mmarable029@gmail.com

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 25, 2015

Name	Organization	Telephone	E-mail
MAUREEN FRIEDMAN		786-586-4353	RMFRIED@BELLSOUTH.NET
BARBARA HAGAN	Country Club of Miami Civic Assn.	305/829-5811	BHAGAN4926@aol.com
Alan Hecht	NE Dade	3059331441	ah2670@gmail.com
Donald Bailey	TAX PAYER	850-617-2486	
Eric Bailey	TAX payer		
Mary Cafferata	N. E DADE	305-932-9281	
Michelle McCall	Biscayne Gardens	(305) 335-0496	
KRIM HACKMAN	BGCA	305 948 0756	

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 25, 2015

Name	Organization	Telephone	E-mail
Aundrella Hamed		(305) 836-2776	alh48@hotmail.com
Alicia Poole			
Milena Connelly			
Richard Friedman		(786) 261-7234	richard@indmobil.com
Glenn Gopman	NEMAC	305-937-2272	gopman@miamipa.com
Sid Rabin		305 788-7595	sidrabin@aol.com
Mark Wilson	M.E.G.A.	305 384 8421	DARNEWLS@AOL.COM
Donald Irving			ACTS238_US@YAHOO.COM

Miami-Dade County Incorporation/Annexation Study - Public Input Meeting
March 25, 2015

Name	Organization	Telephone	E-mail
JUAN W. AGUILAR	HOMEOWNER	305-796-8487	waguil@yahoo.com

MIAMI-DADE COUNTY

Public Notice

COMMUNITY OUTREACH MEETINGS
MIAMI-DADE COUNTY
INCORPORATION/ANNEXATION STUDY

In accordance with the Board of County Commissioners Resolution No. 1006-13, the County has contracted with a consultant to obtain recommendations concerning future incorporations and annexations within the unincorporated areas of the County. Public meetings will be held throughout the County to provide information and receive input from the public regarding the Incorporation and Annexation Study. Please plan to attend an upcoming Community Outreach Meeting in your area. More information on the County's Incorporation and Annexation Study can be found at **http://www.miamidade.gov/incorporationandannexation/**.

South Dade Regional Library	West Dade Regional Library	North Dade Regional Library
10750 SW 211th St March 19, 2015 6:00 PM	9445 Coral Way March 24, 2015 6:00 PM	2455 NW 183rd St March 25, 2015 6:00 PM

Multiple members of the Board of County Commissioners may be present. It is the policy of Miami-Dade County to comply with all of the requirements of the Americans with Disabilities Act. The facility is accessible. For sign language interpreters, assistive listening devices or materials in accessible format, please call (305) 372-6779 at least five days in advance.

For legal ads online, go to http://legalads.miamidade.gov

MIAMI-DADE COUNTY
INCORPORATION/ANNEXATION STUDY
PUBLIC MEETING
6:00 PM – 8:00 PM

AGENDA

1. Introduction/Welcome
    a. Miami-Dade County
    b. PMG Associates, Inc.
2. Purpose of Study
3. Study Outline
4. Communities of Interest (Maps)
5. Discussion
6. Closing (8:00)

Webpage: http://www.miamidade.gov/incorporationandannexation/unincorporated-study.asp
E-mail: annexincorpstudy@miamidade.gov

PROGRAM OUTLINE
MIAMI-DADE COUNTY INCORPORATION/ANNEXATION STUDY

Project Initiated:	December 2014
Public Meetings:	March 2015
Expected Completion:	July 2015
County Project Manager:	Mark Woerner, Regulatory and Economic Resources (RER)
Consultant Project Manager:	Phil Gonot (PMG Associates, Inc., 954-427-5010, phil@pmgaecon.com)

Key topics for analysis:

a. Communities of Interest
b. Minimum Population requirements for Incorporation
c. Fiscal Implications of Incorporation/Annexation
d. Definition of Regional Assets
e. Consideration of Low-Income Areas
f. Impacts on Business and Economic Development
g. Repercussions of Incorporation/Annexation on County Department operations
h. Allocation of County Debt
i. Addressing the UDB and other Planning Issues
j. Environmentally Sensitive and Agricultural Lands

Task 9. – Unincorporated Areas Fiscal, Economic, Environmental and Social Consideration

1. Prepare an analysis of the impacts of the four governmental structures identified in the RFP.
   - Full incorporation of the entire unincorporated area if determined to be feasible (via annexation or incorporation)
   - No further incorporations, only annexations
   - No further incorporations or annexations
   - Increased Metropolitan governance at County level, that could be accomplished based on the existing powers of the County
2. Prepare a matrix of advantages and disadvantages for each scenario found in item 1 listed above and determine the most beneficial approach for the County. The analysis will consider the main categories listed in the title of this task as well as measures within the categories. This matrix will be discussed with staff and amended, where necessary.
3. Identify policy decisions that must be made by the Board of County Commissioners to fully implement a strategy for annexations and incorporations

Outcomes:

1. Recommendations regarding County Policy regarding incorporations/annexations (within parameters identified in Task 9 above)
2. Recommendations regarding Regional assets
   a. Airports/Zoo/Major Facilities
   b. Local and County parks
   c. Transportation Nodes
3. Completion of a GIS-based revenue and expenditure projection program

County contact:
Website: http://www.miamidade.gov/incorporationandannexation/unincorporated-study.asp
e-mail annexincorpstudy@miamidade.gov

MIAMI-DADE COUNTY

INCORPORATION/ANNEXATION STUDY
PUBLIC MEETINGS

MARCH 19, 24, 25

Introduction/Welcome

- **Miami-Dade County**
  - Regulatory and Economic Resources Department
  - Mark Woerner – Project Manager
  - Manny Armada – Chief, Research Section
- **PMG Associates, Inc.**
  - Phil Gonot - Consultant Project Manager
  - Kathy Gonot - Consultant

Purpose of Study

- **Examine the issues related to Incorporations and Annexations and the impact on the citizens and operations of the County**
- **Detailed technical analysis regarding the specific issues**
- **Global (County-wide analysis), not an examination of each pending application**

Study Outline (Handout)

- **Key Topics for analysis (list provided)**
- **Task options to be analyzed (possibilities)**
  - Complete Annexation or Incorporation
  - No addition Incorporations, only Annexations
  - No Incorporations or Annexations
  - Increase service activity of the County
- **Outcomes**
  - Recommendations regarding County Policy of Incorporations and Annexations regarding analysis topics
  - Recommendations regarding Regional Assets
  - Completion of a GIS based revenue and expenditure projection program

Communities of Interest

- **Definition generated from reapportionment and elections**
  - Community of Interest is a gathering of people assembled around a topic of common interest or socioeconomic characteristics
- **We have completed a delineation of all unincorporated areas into individual Communities of Interest (Maps available)**
- **Identification of possible outcomes for these Communities of Interest**

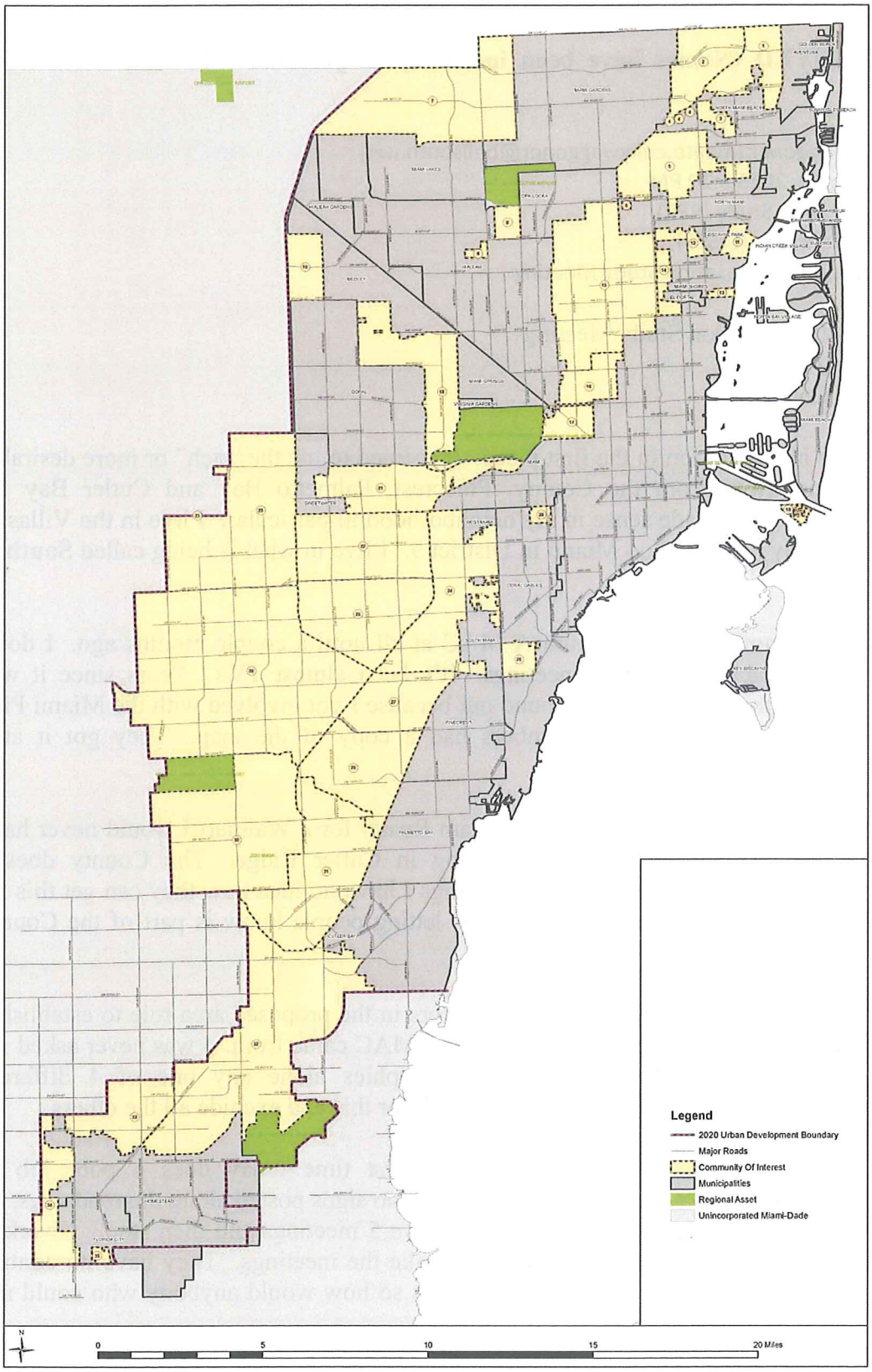
Discussion

- **Participation by the public present**
- **Anyone can attend any/or all of the public meetings**
- **Public Comment on County website**
  - Website: http://www.miamidade.gov/incorporationandannexation/unincorporated-study.asp
  - E-mail: anexincorpstudy@miamidade.gov
- **Comment will be received at any time in the process**

Closing

- **Project scheduled to be finished in July 2015**
- **Discussion by County Commission TBD**

MAP OF COMMUNITIES OF INTEREST



PART 3
COMMENTS RECEIVED AFTER THE PUBLIC MEETINGS

E-MAILS RECEIVED (Names have been included, all personal information has been redacted)

From: William C. Waggoner [mailto:cullywaggoner@bellsouth.net]
Sent: Friday, March 20, 2015 3:20 PM
To: Annex/Incorporation Study (RER)
Cc: Mayor; Moss, Dennis C. (DIST9)
Subject: Incorporation / Annexation Study Meeting

Re: Incorporation / Annexation Study Meeting

To Whom It May Concern

I am not sure I like incorporation in the first place. It seemed to me the "rich" or more desirable areas were breaking away from the County, Pinecrest, Palmetto Bay and Cutler Bay for example. I never thought it made sense in my neighborhood in particular. I live in the Villas of Deerwood, just directly north of Zoo Miami in District 9. I live in what is being called **South A MAC**.

Until recently I knew nothing of this South A MAC at all until a couple months ago. I don't recall getting a notice about it or any meetings. It's been almost TWO Years since it was established by the Commission and I only found out because I got involved with the Miami Pine Rocklands Coalition and one of their members had a copy of the map. They got it at a Homeowners meeting at some point.

If UM never sold the South Campus property to Ram Realty for a Walmart I would never have found out about the MAC or last night's meeting in Cutler Ridge. The County does a HORRIBLE job about telling people about these things I have no idea how they can get this far without more people knowing, although I think not letting people know is part of the County plan.

Based on the need for Consent from 25% of the electors in the proposed area rule to establish a MAC I wonder where the 31,916 needed to request this MAC came from. I was never asked for my consent, does my vote not count? On demographics alone any one of 4 different demographics could have decided by themselves to push for this and exclude all the others.

The South A MAC website, that I found for the first time today does a poor job in communicating as well. There were no flyers passed out, no signs posted along the roadways, no public notices of any kind as far as I can tell. They have 5 meetings and then stop? I worked nights at the time and would not have been able to make the meetings. They have no contact information for any South A MAC committee members so how would anybody who could not make the meetings be able to comment?

If South A MAC succeeded and it became a city and then **Coral Reef Commons** and **Miami Wilds** get built, the new city would NOT get any of the tax revenue from those developments because they are in an "Area of Countywide Significance" which means the County gets the tax revenue money from that "Area" and the new City is stuck with them just living there. I don't think Coral Reef Commons or Miami Wilds will ever get built on the Richmond Pine Rocklands because of the land and animal and plant species living on it being endangered and protected. Still it begs the question if a significant revenue stream from such projects is going to be taken away, why bother to incorporate into a new City in the first place?

I follow both the Miami-Dade County Facebook and Instagram pages and NEITHER of them posted ANYTHING. Is it that hard to post a meeting notice or BCC Agenda or any other real news that residents could use? Miami-Dade posted about, the Walk In My Shoes event, biking on the Underline event and even facial recognition for lost dogs. So perhaps whoever runs the County Media needs to include more meaningful information the residents need to know and can use on it as well.

Please include these comments in the Incorporation / Annexation Study being prepared for the County. I hope to see some changes to the way things are done in getting the information out there to the people that will be affected by it the most. Based on the comments from last nights meetings there is a lot of confusion and concern out there and it is not being properly addressed.

Regards,

Cully Waggoner

Personal:

Cell: 786-374-4932
Home: 305-255-4109
E-Mail: cullywaggoner@bellsouth.net;

From: Luis Martinez [mailto:Luismartinez@brown-usa.com]
Sent: Wednesday, March 25, 2015 4:00 PM
To: Annex/Incorporation Study (RER)
Cc: Thomas David
Subject: FW: West Airport annexation study

To how it may concern:

We have been aware of the towns of Medley, Miami Springs and Virginia Gardens interest and unrelenting push to incorporate the area of incorporated Dade County west of the airport, where we own a building. We are located at 2245 NW 72 Avenue and have no interest in becoming part of any one of these cities. We feel that this will only bring added costs to our business, a cost we cannot afford in the ultra competitive environment we already find ourselves in.

If we are allowed to vote on this issue, we will certainly vote (against). We ask that you please take this into consideration in your study.

Sincerely,

Luis Martinez, Owner
7296 SW 102 st.
Miami, Fl 33156

From: Maria Leon [mailto:emc_leon@bellsouth.net]
Sent: Thursday, March 26, 2015 9:06 AM
To: Annex/Incorporation Study (RER)
Cc: tdavid@fuerstlaw.com
Subject: No Medley Annexation

1. Based on Medley's most recent adopted budget, UMSA property owners will see their **local property tax millage rate jump from 1.9283 to 6.38.** This means that a property owner now paying $10,000 to the county in local property taxes will pay $33,086, more than **three times** as much.

2. **Medley has not proposed any material changes in services**[12] to be provided in the 1,778 acres of annexed area despite gaining more than $4 million in new revenue.

3. **Medley's application is disputed** since the City of Doral submitted an application for the area known as Section 15.

4. **The county's Planning Advisory Board unanimously recommended denial** of the Medley annexation application.

5. **Property owners subject to annexation have not voted or petitioned to be annexed into Medley.** Hundreds of property owners have OBJECTED FOR YEARS to the annexation plan but have never been asked whether they support the plan. Indeed, **Medley did not follow its own charter**, which requires the city to follow state law when annexing land. Specifically, Medley's charter requires the city to solicit petitions from 50% of the property owners in an annexation area. Medley ignored this component of its charter.

IT'S UN AMERICAN AND UN DEMOCRATIC NOT TO BE ABLE TO VOTE AND SAY IF WE WANT TO BE ANNEXED OR NOT AND TO WHAT CITY IF WE DO. WHEN WE PAY REAL ESTATE TAXES TO THE COUNTY; OUR VOICES NEED TO BE HEARD.

Maria E. Leon
E.M.C. Oil Co.
P.O. Box 520882
Miami, Fl 33152-0882
305-477-7497

Response to
MIAMI-DADE COUNTY INCORPORATION/ANNEXATION STUDY
Public Hearing Comments re: North Central Dade Area (NCDA)

Participation in the general public hearing settings has not allowed for sufficient input from the NCDA community as it relates to issues, vision, governance, etc. This document is an attempt to share some of those considerations.

1. Communities of Interest (*One size does not fill all* of UMSA)

   North Central is unique to all of the communities in UMSA because of geographic location, population density, absentee land/housing ownership, age of housing stock, and socio-economic profile. On the other hand, NCDA has considerable potential and could be an asset for Miami-Dade as an example of a positive, prosperous, and sustainable urban district. UMSA is not a city, and community building requires more than the provision of municipal services such as waste management, public safety, and libraries.

2. Fiscal Implications of Incorporation/Annexation of NCDA

   Consideration of Low-Income Area

   Relevant fiscal implications must come not only from reviewing current tax base and other financial data, but must also look at County policies and controls that influence and impact economic development in NCDA, ex:

   a. County receives considerable Federal $ based on the zip codes of NCDA, but the community has little or no input or control as to how those $ are spent, meaning that there insufficient accountability for outcomes.
   b. County policy seems to have designated NCDA as the priority site for subsidized housing, thereby changing the socio-economic profile of the area, and without balancing the resources for income generation. This has negative consequences for the provision of such essential services as education/training, employment opportunities, support of small business, recreational programs, etc.
   c. County planning and development initiatives are almost exclusively directed to the area south of 95th Street (HUD/CAC, TUA's, CRA's, Empowerment Zone, and similar programs). Yet, these fiscal benefits are most often extended to large developers without consideration for community profits and local wealth generation or even the creation of sustainable local employment.

d. It was the County that chose to reduce the UMSA millage rate (as a political strategy) without looking at the impact on NCDA. Other MAC areas often have special taxing districts, or live in gated communities that protect their local environment and ensure a level of municipal services greater than that provided by UMSA. Several speakers mentioned the excellent access and resulting high level of services received in their neighborhood. NCDA homeowners do not share in these advantages, and are not in a position to create an area-wide special taxing district.

3. Impacts on Business and Economic Development:

Under UMSA, NCDA has experienced a decline in business and economic development. Developers have unchecked input and influence on county policy and resource allocations such as tax credits and land deals. If similar attention and support were available to neighborhood small business and owners of existing residential property, there could be a win-win impact for NCDA community development.

a. By the deliberate policy controls that give preference to major developers, the community is limited in its ability to attract new homeowners and diverse business development.
b. The County has joined the media in labeling NCDA as a "poverty" community thus setting the stage for the types of businesses attracted to the area (used car lots, pawn shops, strip joints, endless Family $ stores). Why would a family choose to buy a home in such as area. Ineffective code compliance has not helped.
c. NCDA was also targeted by governmental and institutional use, even to the extent of having a municipality locate its public works service in our community, and, putting a waste collection station on a major business corridor.

Such actions show that the County has little respect or sees little potential in NCDA. Only the creation of a 2nd tier, local government, and the election of local officials with NCDA as their priority will bring a change in the fiscal, economic, and social health of the North Central area.

4. Analysis of the four governmental structures identified in RFP

a. Full incorporation of the entire unincorporated area:

Should be allowed as determined by each "community of interest" through referendum NCDA should look at an analysis and get input for residents after discussing the pro's and con's of the various types of local governance: incorporation, annexation, or other independent municipal structure proposed by the County.

The County has had ample opportunity to implement the preferred option for annexation, and has done nothing beyond sending an invitation letter to surrounding municipalities. All said, 'no thanks'.

b. What is the meaning of ***"Increased Metropolitan governance at County level"***??
UMSA DOESN'T WORK! The study should recommend a way to doing this – with the 'consent of the governed' in all communities of interest.

The County needs to devote itself to being the regional governing structure for county-wide interests, and establish an official 2nd tier structure for governing local communities. This was recommended in a previous study, resulting in the establishment of community councils. The county subsequently discontinued the non-zoning function, undoing the right of area residents to assemble in a quasi-government format.

c. Once the county commits to a local structure, the further analysis, planning and negotiation can take place to find the best fit and the best outcome for the greater good of Miami-Dade and NCDA. The final decision should be a timely referendum that allows resident/electors the right to choose. Further, this entire process needs prompt action, otherwise it is seen as further stalling by a county government that does not have the will to take necessary action on behalf of a significant number of its population.

Submitted 4/1/15 by Doretha Nichson 305-318-5741 westviewncda@yahoo.com

March 31, 2015

Miami's North Central Dade area is 'economically and geographically unique' among all the PMG Study Communities of Interest:

'One size does not fit all'

North Central Dade has suffered decades of economic apartheid and neglect due to the dictator-like decisions of county government since the formation of the Metropolitan Dade Bureaucratic nightmare.

Due to its demographic and economic exclusion, poverty has remained a permanent and self perpetuating plague in our community, while tourism, trade and transportation prosperity in other parts of Miami-Dade looms all around us since the 1960's.

Considering its geographic location, population density, absentee land/housing ownership, age of housing stock, socio-economic profile, the tradition of exclusion from Miami's mainstream economic drivers can only be described as economic apartheid.

North Central Dade has considerable potential and could be an asset for Miami-Dade as an example of positive, prosperous, sustainable urban district.

Community building requires more than the provision of municipal services such as waste management, public safety, and libraries.

1. **Implications of Incorporation or Annexation of Unincorporated Area**

Relevant fiscal implications must come, not only from reviewing current tax base and other financial data, but must also look at County policy and controls that influence and impact economic development in NCDA:

a. Metro-Dade County receives considerable Federal $ based on the zip codes of NCDA, but the community has little or no input, benefit or control of how those $ are spent; and insufficient accountability for the results of that spending.

b. County policy has designated NCDA as the priority site for subsidized housing, thereby changing the socio-economic profile of the area, and without balancing the resources for income generation (education/training, meaning employment, support of micro-small business, etc)

c. County planning and development initiatives are almost exclusively directed and extended to large developers profit without consideration for community residents' benefit and local wealth generation.

d. Metro-Dade County chose to reduce the UMSA millage rate (as a political strategy) without looking at the impact on the black communities. Other areas often have special taxing districts, or live in gated communities that protect local environment and ensures a level of services greater than that received in black communities.

e. None of which has brought any benefit to our Community.

2. While other communities speak of the excellent access and resulting high level of services received in their neighborhoods, homeowners in our community suffer a daily reality of economic apartheid that has oppressed and not shared in these advantages and benefits; and county code has obstructed our path to access and success.

By applying a double standard regarding utility tax and franchise fees to annexation vs Incorporation, the county code has divided residents, neighbors and friends to the point of confrontation and opposition rather than cooperation for prosperity... this can only perpetuate the economic injustice that the county has in place for decades.

3. **Impacts on Business and Economic Development:**

Black communities have experienced a decline in business and economic development. Developers have input and influence on county policy and resource allocations such as tax credits and land deals. If similar attention and support was made available to neighborhood small business and owners of existing residential property, there could be a win-win impact for black community development.

a. By the deliberate policy controls that give preference to major developers, the community is restricted in its ability to attract new homeowners and diverse business development.

b. The Miami-Dade County government administration has joined the ranks of others like Ferguson, Sanford, Rosewood, Staten Island, or The Black Wall Street of Tulsa in the news media, labeled as a murderous, oppressive "poverty-pimping" administration, coveting economic benefits packages that would and should be part of any desired annexation consideration.

c. Miami-Dade has a bloody stain of targeted violence, just like Rosewood; but more recently, Joseph Caleb, Arthur McDuffy, Nathiel Lafluer, Bernie Dyer and others that have not yet come to the light of day... Why would anyone choose to buy and develop in such an area?

d. This community was also targeted for government and institutional convenience; even to the extent of having another municipality locate its (sanitation??) service and a county waste collection station on major commercial corridors.

Such actions show that the County has no respect for and cannot see a vision for a prosperous future in the black community. Only the creation of a local community government and the election of local officials with the community as their priority will bring effective change to the future economic, and social well being of the **North Central Dade Area.**

Effective Change:

- **Is possible only via Self Determination**
- **Determination by the residents of the entire NCDA unincorporated area**
- **Should be determined by voters of each "community of interest" local referendum**
- **The County Code must be changed where it conflicts with State Law to eliminate the double standard of economic apartheid.**
- **County Code should mandate that each community has the right to choose by Local Referendum its form of government; whether it be incorporation, annexation, or any other independent structure for self determination proposed by the County or the State.**
- **In all cases, the mandate must require that utility taxes and franchise fees go with the local residents; regardless of whether incorporation or annexation.**

Coalition of Community Organizations
E. Louis Burnside, Chair elburnside@aol.com March 31, 2015

From: miamirivermarineg@gmail.com [miamirivermarineg@gmail.com] on behalf of Mark Bailey [markbailey@miamirivermarinegroup.org]
Sent: Monday, January 26, 2015 11:57 AM
To: Kathy Gonot
Subject: Ms. Gonot, Chairman Monestime's office (Terry Murphy, Special Policy Advisor) suggested I reach out to you.

Ms Gonot,

I was given your contact information by Miami-Dade County, Chairman Monestime's Special Policy Advisor, Terry Murphy.

Terry and I had a long conversation regarding the annexation process in light of the City of Miami Commission --led by City Commissioner Willy Gort-- effort to annex unincorporated Miami-Dade County areas that include Blue Lagoon, Melrose Park, Palmer Lake and, the upper Miami River, among other nearby areas.

I was informed of your consulting project surrounding policy recommendations concerning annexation and was encouraged to contact you. The Miami River Marine Group (MRMG) would like to provide any appropriate input on your analysis/study/recommendation that could be helpful in this effort.

In the meantime, under current conditions, it seems to the MRMG upper Miami River area (unincorporated Miami-Dade County)--which is overwhelming commercial/industrial business property owners with few registered voters-- could be left out of the annexation decision process .

Currently, the Miami-Dade County services provided to the MRMG membership as property owners and commercial/industrial business operators, is adequate. This effort by the City of Miami seems only an attempt to enhance the City's tax base.

(Additionally, and while it may be less important in your study, the MRMG Board of Directors discussed the City of Miami's record of support for the Miami River marine industry; the importance of sustaining, protecting and encouraging the Miami River marine industry; potential tax and services implications; the approved Stipulated Settlement Agreement now included in the Miami Comprehensive Neighborhood Plan Port of Miami River Sub-Element; as well as, overall Miami River marine industry representation at City Hall.)

And, consequently, the MRMG Board of Directors has preliminarily determined no overall benefit to annexation of the Miami River area into the City of Miami.

Hopefully, your assessment and recommendations will recognize an annexation process that appropriately weighs property owners ' recommendation and economic interests to the impacted area--especially where there are few registered voters.

Please let me know if the MRMG can provide any input to you and your team for this project.
Regards,
Mark Bailey

(I am aware of the FIU study and maps related to this annexation proposal and can easily forward this information if you have not already reviewed this material.)

Mark Bailey, Executive Director
Miami River Marine Group
3033 NW North River Drive
Miami, Florida 33142
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You will have a good turn out from our area, but attendees will skew elderly because of families traveling over spring break, so I thank you for the opportunity to attend "by email" to provide input here. Also FYI: I didn't see a place to submit a comment through http://miamidade.gov/incorporationandannexation/unincorporated-study.asp. Here is my submission:

I am 43, father of 2 public elementary school kids, I reside in single family home, and I'm a member of the NE MAC, which was very recently "re-activated" (3rd time) and allowed to review PMG's report before we make our own recommendations in 2016.

In creating its report, I'm certain PMG will review the valuable work of the County's 2013 AITF. If time permits, you may also want to take a look at the blog www.westofaventura.blogspot.com, for a case study of ONE unincorporated area - and the issues. Your project is county-wide, but the topics reviewed on the blog may be instructive in their applicability to similar UMSA areas.

In the 1990s, our area was *intended* to be included within the borders of Aventura, but in the home stretch we were left on the cutting room floor. In retrospect that was bad both for our area *and* for Aventura, because the arterial road (Ives Dairy) has become a nightmare in recent years, and the prospect of a new commuter rail station will affect Aventura profoundly, yet be on our soil - they need what we have. As for us in the NE UMSA, we stare longingly at the tremendous tax base Aventura has, we take our children to Aventura playgrounds, sign them up for Aventura league sports, we shop in their mall, eat in their restaurants and we share a zip code (33180) - we need what they have.

Recognizing the above, Aventura was approached multiple times to annex the study area of the NE MAC. Doing so would be revenue-neutral, EXCEPT that the current county law provides that certain revenues (utility and franchise) would be loss, creating a $1M/year "poison pill" that Aventura is not willing to swallow. The AITF recommended that the laws be changed to eliminate this "poison pill" (Mayor Gimenez and I endorse that conclusion also). BUT, an Aventura annexation would involve "cherry-picking" of our area, and that should not be permitted now, just as it shouldn't have been permitted in 1994 (a textbook, almost *criminal* example of cherry-picking).

Our MAC only has scope to consider INCORPORATION however, not annexation, and in that regard we are faced with creating another micro-city. You will see on Thursday evening that the issue has been very divisive for us. If a new city is created, it will surely be dysfunctional and chaotic, because of this divisiveness. A new city will also be hobbled by it's own "poison pill": mitigation payments, which erase any financial incentive we have to be independent. The AITF recommended that the laws be re-written to eliminate this poison pill too (Mayor Gimenez and I endorse that conclusion also), and as a member of the NE MAC this is a threshold issue: if the mitigation payment remains, I am not in favor of recommending incorporation.

PMG is surely aware of the efforts in many cities across the US to amalgamate: unite smaller cities into a more functional whole. Yet here in Miami-Dade, the opposite has happened: tiny

cities sprout everywhere, and officials in many of these cities lack oversight and end up in the newspapers for all the wrong reasons (bribery, corruption, steering, etc.). There is a desire by many to create stronger cities - even the mayor of ultra-wealthy Sunny Isles Beach has indicated openness to the idea of uniting with Aventura. I would argue we should go a step further than that: uniting Aventura, Sunny Isles, the NE UMSA, and the unincorporated area west of it, all the way to Miami Gardens.

This argument is made in the blog (at http://westofaventura.blogspot.com/2015/03/the-bigger-picture.html). And while my focus is on the only area I know intimately (the NE UMSA), the thesis should be equally applicable elsewhere in the county too: where small UMSA areas exist alongside strong and well-funded cities, they should be "put" to those cities, be they willing to annex them or not.

That is the position I hope PMG will consider in preparing its report: encouraging sensible annexations (by drawing the lines for unwilling annexors like Aventura and eliminating the lost revenue "poison pill"), and incentivizing sensible incorporations (like Kendall) by eliminating the mitigation "poison pill".

Thank you for your time. I am always available to sit down with you or speak by phone (cell 305-205-2073).
Mark Robson
19860 NE 24th Court, "Miami" FL 33180

NE MAC Study Area and recent Polling on Annexation/Incorporation
Mark Robson

I've previously written to the consultant PMG in connection with the 2015 report now being prepared. This is a supplement to my earlier comments. As mentioned previously, I am a member of the NE MAC, and therefore intimately aware of issues of incorporation and annexation faced by my 'slice' of the UMSA.

Over the past several weeks, I have posted a series of polls on a website called Nextdoor, which is a social network for neighborhoods. Our Nextdoor "virtual neighborhood" includes over 1000 participants, out of approximately 2,600 homes in the NE MAC Study area, so there is significant participation and overlap of the two. I leave it to PMG as an expert to determine whether the poll results meet the threshold of "statistical significance", but in my opinion the results reflect the attitudes of a *representative* sample of "likely voters" who reside in the single-family homes in the NE MAC study area.

In Poll #1 (https://enchantedlake.nextdoor.com/news_...), the idea of incorporating a NEW CITY had the support of 66% of respondents, with 15% against it, and 19% undecided. I would characterize that support as tepid, especially given that the polling by necessity excluded over 4,633 condominiums who are not part of the Next door neighborhood (and therefore unable to participate in the poll). Those same condominiums have mounted a years-long "say NO to incorporation" effort,

and I suspect sufficient "NO" votes exist to end the drive to incorporation should it ever come to a vote.

In Poll #2 (https://enchantedlake.nextdoor.com/news_...), 86% supported the idea of becoming part of AVENTURA (with 9% against and 6% undecided). This is supportive of my comments in my first submission to PMG: that there is interest in SENSIBLE annexations in parts of UMSA neighboring stable and well-funded existing cities. Again it must be noted that the poll excluded condo owners, but my anecdotal discussions with condo residents indicated an open mind toward Aventura, even with deep opposition to incorporation.

Contrast this with Poll #3 (https://enchantedlake.nextdoor.com/news_...) where an equally strong 86% majority was against annexation by North Miami Beach (only 6% in favor, and 8% undecided), which is generally viewed as a more dysfunctional and cash-challenged municipality.

So with some support for incorporation, and strong support for annexation by Aventura (but not NMB), Poll #4 (https://enchantedlake.nextdoor.com/news_feed/?post=10915266) tested those 2 alternatives against each other, and by about a 3-to-1 margin, Aventura won.

As in my first submission, I acknowledge that PMG must concern itself with the *entire* UMSA, and not one tiny pocket, however: these results provide some evidence that "sensible annexations" may be worthy of promotion over the creation of "pocket cities".

The problem I face as a member of a MAC is that I am only charged with considering incorporation, not annexation, and knowing that my community prefers annexation, I'm in a bind. My hope that the County Commission, after reviewing PMG's report, will remove the barriers to annexation (withholding utility and franchise taxes from annexors), allowing the possibility of annexation by Aventura to be exhausted *before* we put incorporation to a vote.

Thanks,
Mark Robson, member NE Municipal Advisory Committee
Sent: Friday, April 24, 2015 5:06 PM
To: Annex/Incorporation Study (RER)[ANNEXINCORPSTUDY@ Miami dade.gov]

Sent: Friday, April 24, 2015 6:46 PM

To: Annex/Incorporation Study (RER) [ANNEXINCORPSTUDY@ m iam idade.gov]

Get Involved

Charkivia Lovett [charkivialovett@ gmail.com]

Good Afternoon:)
I was recently on the website and wanted to see how as a community resident in the South Dade area how I could get involved in the process to learn what is going on.
Thanks in advance for your service,
--
Charkivia L. Lovett, M.S
WBL/CTR Specialist, Homestead Job Corps
12350 SW 285th Street
Homestead, Florida 33032
Tel: 305-257-4800 • Fax: 305-257-2507 •Cell: 305-793-7543
Email: Lovett.Charkivia@jobcorps.org
Responsibility, Belief, Strategic, Arranger, Input

"The best way to find yourself is to lose yourself in the service of others." Ghandi

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Re: Questions List

Benjamin [flboy275@aol.com]
To: Phil Gonot
Friday, May 01, 2015 11:06 AM

Hello Phil,

Thank you for your response. I am a resident of the Biscayne Gardens unincorporated area of Miami-Dade County. As an active member of the community civic association I can tell you that there is a large and growing contempt towards the idea of incorporation. A successful petition drive is currently underway in an effort to disrupt the incorporation efforts of the severely biased MAC appointed by the commissioner in our area.

I specifically bought property in unincorporated Miami-Dade because I enjoy the lower tax rate and level of services I receive through the County. There is a small minority of politicians and community organizers who are pushing this idea of incorporation and annexation that my community is strongly against. However, I need to stress that if given the choice between the two - I would much prefer to be annexed into an established city rather than be incorporated into an unknown new municipality.

The Biscayne Gardens area is generally a lower income area that will require a great deal of city services. My taxes will increase significantly if the area becomes incorporated - and they will continue to increase as demands on politicians grow. I am very content to be left alone and continue to stay unincorporated. Please consider my comments for your report that you will submit to the County.

Sincerely,

Benjamin Ramirez

LINC

(Let's Incorporate Now Coalition)

Representing the incorporation movements of:

North Central Dade Biscayne Gardens Kendall
West Kendall Redland Northeast Dade The Falls
Country Club Lakes Fontainebleau South Dade MAC A

April 13, 2015 stephen@pmgaecon.com

Mr. Stephen Gonot
PMG Associates, Inc.
3880 NW 2nd Court
Deerfield Beach, FL

Dear Mr. Gonot:

LINC is the organization that has been promoting municipal incorporation since 1997 in Miami-Dade County and has helped the five newest cities in Miami-Dade County to form their own municipalities. We also are providing assistance to other areas in UMSA which are either exploring incorporation or have current MACs in process. As you may note in the letterhead, we represent many areas that are currently in UMSA.

We have a number of issues regarding your upcoming study to be submitted to the Board of County Commissioners and we wish to share our concerns with you:

- There should not be any annexation of any area within the boundaries of a MAC study area *until the process has been completed*, as determined by the outcome of the vote of the residents within that area. It is disturbing that at least one city has been "nibbling" away at the edges of an existing MAC while its MAC study process is underway, and there have been other attempts to "cherrypick" from other MAC areas as well.

  How can a potential city determine its municipal budget when at the same time its boundaries are being reduced by unwanted annexations? If existing cities are allowed to selectively annex areas to enhance their current budgets via annexation, what happens then to potential new cities if they are left with an unviable tax base?

- In no way should there be any consideration of UMSA to become one large city. You cannot govern effectively such a vast area, which stretches from the Broward County line to the Monroe County line. The areas contained

within UMSA have extremely diverse communities of interest and are so spread out geographically that it would be difficult to serve all equally.

The Redland is about as different from the North Central MAC area as it could be, and there are vast differences between Northwest Dade and the areas to the south of Cutler Bay as well. In fact, each of our LINC communities has its own identity, and the residents within that community deserve to explore whether or not they wish to become part of a city that is workable in size. Communities that arise out of common interests are successful when their divergent needs and goals for their residents are met.

- The county needs to concentrate on countywide and regional issues such as the airport, seaport, traffic, etc. and allow the UMSA residents to choose their form of second tier governance. The provision of municipal services should be decided upon by respective community interest.

LINC certainly hopes that you will seriously consider our concerns and include them in your upcoming report. The issues of municipal incorporation and annexation have been ongoing for many, many years and we expect that the final decisions will be ones that will benefit all of the residents of Miami-Dade County.

Sincerely,

Bev Gerald
LINC Chair

cc: Senator Javier Souto, UMSA Committee Chair
Commissioner Daniella Levine Cava, UMSA Committee Vice Chair
Commissioner Esteban Bovo
Commissioner Sally Heyman
Commissioner Barbara Jordan
Commissioner Juan Zapata

Expanded Remarks - Annexation & Incorporation Study Public Meeting

Thomas M. David, President
Airport West Business Association, Inc.
tdavid@fuerstlaw.com
(305) 350-5690

The Airport West Business Association (AWBA), which is a Florida non-profit corporation established by property owners West of Miami International Airport targeted for annexation. AWBA members oppose annexation because it will be disruptive to their businesses, will cost them money, and - many fear - will make them less competitive. These human reasons are mentioned first because our members know you are concerned about them as both individuals and business owners.

An overarching objection to the annexation process as it relates to our members is its lack of a formal procedure to determine the preferences of property owners. Since the properties are commercial enterprises, no voters exist in the annexation targets. The county's procedure stands in stark contrast to Florida statutes, which require consent of property owners if a target area lacks voters.[1]

Our members have carefully reviewed each of the still pending annexation applications and have itemized a number of reasons that support denial of the applications. We have provided them to you in short form below and believe they have broader application to annexation and incorporation generally.

Ten reasons to deny the Miami Springs annexation plan:

1. Based on Miami Springs' most recently adopted budget, unincorporated property owners will see their **local property tax millage rate jump from 1.9283 to 7.671.** This means that a property owner now paying $10,000 to the county in local property taxes will pay $39,781, almost **four times** as much, but will see no change in services.

2. Miami Springs has not proposed any material changes in services[2] to be provided in the 1,331 acres of annexed area despite gaining more than $6.9 million in new revenue. Miami Springs' current budget anticipates $19.8 million in revenue meaning that **the new annexation revenue will account for 35% of the city's revenue without any commitment to spend even a portion of the windfall in the annexed area.**

3. **Miami-Dade County will surrender a net of at least $687,000** while the city gains almost $7 million. In a 2008 mailer to Miami Springs' voters, the city boasted that they would realize a net surplus of approximately $3.2 million.[3] We believe this figure is substantially understated given the paucity of services the City is committing to provide. In contrast, the county's losses may be

[1] If more than 70 percent of the land in an area proposed to be annexed is owned by individuals, corporations, or legal entities which are not registered electors of such area, such area shall not be annexed unless the owners of more than 50 percent of the land in such area consent to such annexation. Such consent shall be obtained by the parties proposing the annexation prior to the referendum to be held on the annexation. § 171.0413(5), Fla. Stat. Ann.
[2] The city's police department has 42 sworn officers projected for 2013-4, which is one more than the city had in the original application year. City of Miami Springs application at pp. 146-147.
[3] City of Miami Springs application at p. 243.

substantially more than estimated because staff's figure does not reflect potential losses to other taxing authorities caused by the annexation's inevitable lowering of taxable values in the annexed area.

4. **The county's Planning Advisory Board unanimously recommended denial** of the Miami Springs annexation application.

5. Property owners subject to annexation have not voted or petitioned to be annexed into Miami Springs. Indeed, **hundreds of property owners have objected for years to the annexation plan but have never been asked for their preference.** No meaningful dialogue or negotiations have occurred between property owners and the city even though this matter was deferred by the BCC on April 13, 2011.

6. **Miami Springs' amended application proposes to create an illegal enclave** according to the county staff report.[4] The county code states clearly that the county commission shall not hear, consider or approve a boundary change request that creates an enclave.[5] While the BCC may create an enclave if it wishes to do so, we are aware of no example where the Board has granted a municipality the authority to propose an annexation plan that purposefully creates an enclave.

7. In addition to proposing an illegal enclave, **Miami Springs did not follow the county's ordinances regarding the filing of the application.** Specifically, a municipal annexation application must start with a resolution with notice to the property owners after a public hearing.[6] No such public hearing was held in connection with any annexation resolution.

8. If the FEC property is removed, **the annexation area is not contiguous to Miami Springs** so the city will not be able to economically provide services to the annexed properties.

9. Furthermore, there are significant questions regarding whether Miami Springs is ready to govern the annexed area. According to county staff, **"the city's comprehensive plan and zoning code do not include an industrial land use designation and respective zoning regulations."**[7]

10. **Miami Springs' voters did not approve the current application.** The Miami Springs referendum proposed annexing an area that included the FEC rail yard but the city later - and without voter approval - amended its application to remove the FEC property.

Ten reasons to deny the Virginia Gardens annexation plan:

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[4] "Approval of the proposed annexation would result in the creation of an enclave; if recently submitted annexation applications by the Town of Medley, Village of Virginia Gardens and the City of Doral are not approved. Additionally, with the removal of the rail yard by request of the City, there will be an enclave created." Memorandum from Mayor Carlos Gimenez to BCC Chair Rebeca Sosa dated September 4, 2013 at page 3.

[5] No proposed boundary change request shall be filed, nor shall any filed request be heard, considered, or approved, pursuant to Section 20-7 or Section 20-8 by the Board of County Commissioners when the governing body requesting the change has omitted as part of the boundary change application information on an existing enclave, as defined in Section 20-7(A)(1)(c), adjacent to the municipality's boundaries or when the boundary change application creates a new enclave. Sec. 20-3.1, M-DC Code of Ordinances.

[6] Sec. 20-3, M-DC Code of Ordinances.

[7] Memorandum from Mayor Carlos Gimenez to BCC Chair Rebeca Sosa dated September 4, 2013 at page 6.

1. Based on Virginia Gardens' most recently adopted budget, UMSA property owners will see their **local property tax millage rate jump from 1.9283 to 5.15.** This means that a property owner now paying $10,000 to the county in local property taxes will pay $26,707, more than **two and one-half times** as much, but as in the Miami Springs case will see no change in services.

2. Virginia Gardens has not proposed any material changes in services[8] to be provided in the 1,027 acres of annexed area despite gaining more than $4.6 million in new revenue. Virginia Gardens' budgeted approximately $2.5 million in revenue for 2011, which means that the new **annexation revenue will account for 65% of the city's revenue without any commitment being made to spend even a portion of the windfall in the annexed area.**

3. **Miami-Dade County will surrender a net of at least $746,000** while the city gains almost $4.6 million. Again, as in the Miami Springs case, we believe the county will lose more revenue than estimated while the village will yield an enormous windfall.

4. **The county's Planning Advisory Board unanimously recommended denial** of the Virginia Gardens annexation application.

5. Property owners subject to annexation have not voted or petitioned to be annexed into Virginia Gardens. Indeed, **hundreds of property owners have objected for years to the annexation plan but have never been asked for their preference.** No meaningful dialogue or negotiations have occurred between property owners and the village even though this matter has been pending for years.

6. **Virginia Gardens' application proposes to create "an unincorporated pocket"** to the South according to the county staff report.[9] The unincorporated pocket may constitute an enclave. The county code states clearly that the county commission shall not hear, consider or approve a boundary change request that creates an enclave.[10] While the BCC may create an enclave if it wishes to do so, we are aware of no example where the Board has granted a municipality the authority to propose an annexation plan that purposefully creates an enclave.

7. **The proposed annexation area is 5.6 times larger than Virginia Gardens,** yet the village claims it can provide services to the new area.

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[8] The village's police department has 20 sworn officers according to the staff report, which is half the number Miami Springs would be using to service a nearly similarly sized annexation area. See. p. 16, County Staff Report.

[9] See. p. 28, County Staff Report.

[10] No proposed boundary change request shall be filed, nor shall any filed request be heard, considered, or approved, pursuant to Section 20-7 or Section 20-8 by the Board of County Commissioners when the governing body requesting the change has omitted as part of the boundary change application information on an existing enclave, as defined in Section 20-7(A)(1)(c), adjacent to the municipality's boundaries or when the boundary change application creates a new enclave. Sec. 20-3.1, M-DC Code of Ordinances.

8. Virginia Gardens and the proposed annexation area are different in character, according to the staff analysis. Indeed, **Virginia Gardens' master plan and code do not contain the necessary categories for land use and zoning to effectively regulate the commercial and industrial area.**

9. Virginia Gardens' 2003 annexation resolution included areas that are now part of the Miami Springs annexation plan. Further, the current plan added areas to the South of MIA that were not advertised to property owners in 2003. Therefore, **Virginia Gardens' 2003 annexation resolution does not comply with Sec. 20-3 of the county code** because a material numbers of affected property owners were not notified of the Virginia Gardens public hearing.

10. A primary goal of the annexation is to "further provide for the fiscal strength of the Village by increasing its tax base and allowing for significant job creation opportunities." Thus, the Board must consider whether **the purpose of this annexation is merely to increase the tax base of the annexing municipality.**[11]

Five reasons to vote no on the Medley annexation plan:

1. Based on Medley's most recent adopted budget, UMSA property owners will see their **local property tax millage rate jump from 1.9283 to 6.38.** This means that a property owner now paying $10,000 to the county in local property taxes will pay $33,086, more than **three times** as much.

2. **Medley has not proposed any material changes in services[12] to be provided in the 1,778 acres of annexed area despite gaining more than $4 million in new revenue.**

3. **Medley's application is disputed** since the City of Doral submitted an application for the area known as Section 15.

4. **The county's Planning Advisory Board unanimously recommended denial** of the Medley annexation application.

5. **Property owners subject to annexation have not voted or petitioned to be annexed into Medley.** Hundreds of property owners have objected for years to the annexation plan but have never been asked whether they support the plan. Indeed, **Medley did not follow its own charter,** which requires the city to follow state law when annexing land. Specifically, Medley's charter requires the city to solicit petitions from 50% of the property owners in an annexation area. Medley ignored this component of its charter.

We believe strongly that the cities proposing annexation are looking at the issue from their perspective only. They have not considered the damage they will do to the local economy, nor have they addressed the losses the annexations will cause to the county budget and to other taxing authorities.

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[11] Sec. 6.04(B), Miami-Dade County Charter.

[12] Medley is not proposing any additional police officers. See. p. 61, Town of Medley application.

Members of our association are ready to discuss our concerns in greater detail should you provide us something that has never been offered before: an opportunity to shape our destiny **before** it is foisted upon us. Furthermore, if any annexation is enacted, there must be a procedure and a contract that the governs the annexation so that all municipal promises can be enforced.

APPENDIX C

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