NORTH MIAMI
FLORIDA
776 N.E. 125 Street, North Miami, Florida 33161

Council Report

To: The Honorable Mayor and City Council

From: Maxine Calloway, Community Planning & Development Director

Date: April 9, 2013

Re: **Transmittal of Annexation Application – Proposed Area 2**

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING SUBMITTAL OF AN APPLICATION TO MIAMI-DADE COUNTY TO ANNEX INTO THE CITY AN AREA BORDERED ON THE WEST-SIDE BY NORTHWEST 16TH AVENUE, ON THE EAST-SIDE BY NORTHWEST 13TH AVENUE, ON THE SOUTH-SIDE BY NORTHWEST 131ST STREET AND ON THE NORTH-SIDE BY NORTHWEST 135TH STREET, IDENTIFIED AS THE SUNKIST GROVE ANNEXATION AREA (AND OTHERWISE KNOWN AS, "AREA 2"); PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

REQUEST

That the Mayor and Council adopt the proposed resolution authorizing City Administration to transmit the proposed annexation application to Miami Dade County for the area bordered on the west side by NW 16th Avenue, on the east side by NW 13th Avenue, on the south side by NW 131st Street and on the north side by NW 135th Street (also known as Sunkist Grove Annexation Area); and; in accordance with the Boundary Change Procedure of Article 1, Section 20-3 of the Miami Dade County Code of Ordinances.

BACKGROUND

Policy 8.1.7 of the City's Comprehensive Plan encourages the City to actively pursue development and growth management opportunities through several mechanisms including but

not limited to exploring annexations where necessary; Additionally, Policy 1.1.10 requires that the City conduct a study to determine the feasibility of annexing unincorporated County owned properties that are contiguous to the City's boundaries; As such, at its' February 22, 2011 meeting the Mayor and Council adopted Resolution R-2011-23 authorizing City Administration to conduct data an analysis to determine the feasibility of annexing Annexation Area 2. City Administration completed its analysis of the proposed annexation and determined that the existing unincorporated enclave would be of benefit to the City, and due to its unique location (which engulfs the subject area on all four sides), it could be more efficiently served by the City as opposed to Miami-Dade County.

CONCLUSION

Staff is of the opinion that the proposed annexation application is in keeping with the intent of Section 20-7 A(1)(c) of the Miami Dade County Code which seeks to eliminate the creation of such enclaves and create more cohesive, inclusive neighborhoods throughout the County. If approved the subject annexation would eliminate the current unincorporated enclave and create a seamless transition within the Sunkist Grove neighborhood.

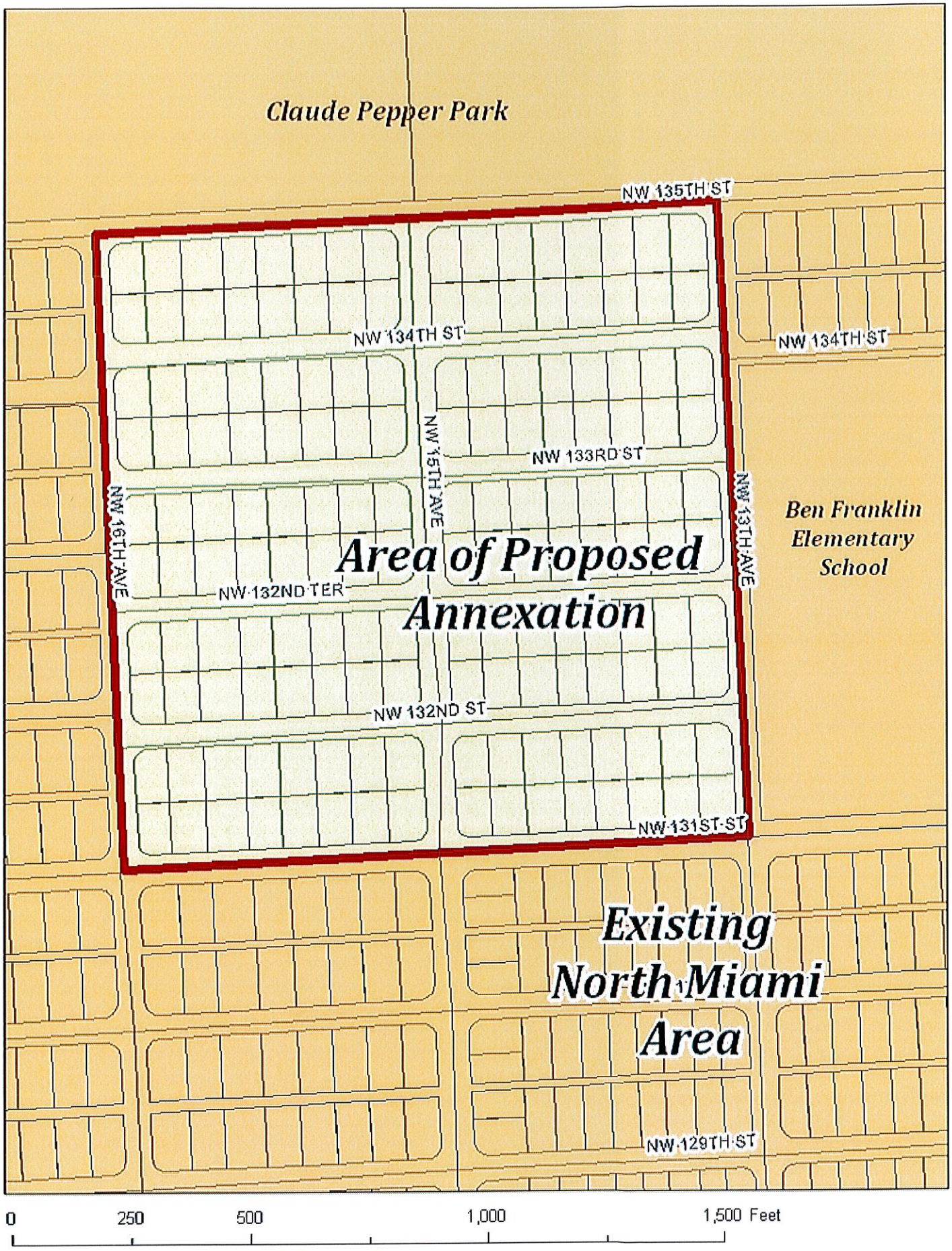
It should be noted that Section 20-3 (H) of the Miami Dade County Code, requires that since the subject area contains greater than 250 registered voters (staff analysis indicates a total of 410 registered voters) the City must obtain petitions representing the consent of twenty five percent (25%) plus one (1) of all electorate in the subject area (**a total of 104 petitions needed**). However since the area has greater than 250 registered voters and is greater than 50% residential, no election shall be required. **To date the City has obtained 106 petitions from registered voters within the subject area.**

Staff believes the City has met all the annexation requirements outlined in Chapter 20 of the County Code and as such requests that the Council approves the proposed resolution and authorize staff to transmit a formal application to Miami Dade County Clerk for review.

Attachments

1) Map of Proposed Annexation
2) Resolution

Proposed Annexation



RESOLUTION NO. _____

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, APPROVING SUBMITTAL OF AN APPLICATION TO MIAMI-DADE COUNTY TO ANNEX INTO THE CITY AN AREA BORDERED ON THE WEST SIDE BY NORTHWEST 16TH AVENUE, ON THE EAST SIDE BY NORTHWEST 13TH AVENUE, ON THE SOUTH SIDE BY NORTHWEST 131ST STREET AND ON THE NORTH SIDE BY NORTHWEST 135TH STREET, IDENTIFIED AS THE SUNKIST GROVE ANNEXATION AREA (OTHERWISE KNOWN AS "AREA 2"); PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.

WHEREAS, policy 8.1.7 of the City of North Miami ("City") Comprehensive Plan encourages the City to actively pursue development and growth management opportunities through several mechanisms including, but not limited to the potential of annexations where necessary; and

WHEREAS, the Mayor and City Council desire to annex the subject properties bordered on the west side by Northwest 16th Avenue, on the east side by Northwest 13th Avenue, on the south side by Northwest 131st Street and on the north side by Northwest 135th Street, identified as the Sunkist Grove Annexation Area (otherwise known as "Area 2"); and

WHEREAS, Policy 1.1.10 of the City's Comprehensive Plan requires that the City conduct a study to determine the feasibility of annexing areas situated within unincorporated Miami-Dade County and which are contiguous to the City's boundaries; and

WHEREAS, on February 22, 2011, the Mayor and City Council adopted Resolution R-2011-23, authorizing the City administration to conduct an analysis and collect data to determine the feasibility of annexing the subject area; and

WHEREAS, City Administration completed its analysis on the proposed annexation and determined that the existing unincorporated enclave would be of benefit to the City, and due to its unique location (which engulfs the subject area on all four sides), it could be more efficiently served by the City as opposed to Miami-Dade County; and

WHEREAS, the proposed annexation application is keeping with the intent of Section 20-7(A)(1)(c) of the Miami-Dade County Code of Ordinances, which seeks to eliminate the

creation of such enclaves and create more cohesive, inclusive neighborhoods throughout the county; and

WHEREAS, pursuant to the requirements of Section 20-3(G) of the Miami-Dade County Code of Ordinances, the City obtained petitions representing the consent of twenty five (25) percent plus one (1) of the electors residing in the subject area; and

WHEREAS, City administration seeks authorization from the Mayor and City Council to file a formal annexation application with the Miami-Dade County Clerk, in accordance with the requirements of Section 20-3 of the Miami-Dade County Code of Ordinances; and

WHEREAS, the Mayor and City Council have reviewed the proposed annexation application and have determined that it satisfies the goals, objectives and policies of the City's Comprehensive Plan and therefore, it is in the best interest of the City to proceed with the formal annexation application with Miami-Dade County.

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

Section 1. **Approval of Submittal Annexation Application.** The Mayor and City Council of the City of North Miami, Florida, hereby approve submittal of an application to Miami-Dade County to annex into the City an area bordered on the west side by Northwest 16th Avenue, on the east side by Northwest 13th Avenue, on the south side by Northwest 131st Street and on the north side by Northwest 135th Street, identified as the Sunkist Grove Annexation Area (otherwise known as "Area 2").

Section 2. **Authorization to City Administration.** The Mayor and City Council of the City of North Miami, hereby authorize City administration to take all necessary steps to file a formal annexation application with the Miami-Dade County Clerk to annex into the City, the stated Sunkist Grove Annexation Area, otherwise known as Area 2, in accordance with Miami-Dade County Code of Ordinances.

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

PASSED AND ADOPTED by a _____ vote of the Mayor and City Council of the City of North Miami, Florida, this _____ day of April, 2013.

_____
ANDRE D. PIERRE, ESQ.
MAYOR

ATTEST:

_____
MICHAEL A. ETIENNE, ESQ.
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

_____
REGINE M. MONESTIME
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: _____

Seconded by: _____

Vote:

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