

**Date:** June 14<sup>th</sup>, 2016

**To:** Honorable Mayor and City Council Members



**From:** Tanya Wilson- Séjour, AICP, Planning, Zoning & Development Director

**Re: Proposed Boundary Change to the Pending Biscayne Corridor Annexation Area Application**

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**PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO AMEND THE ANNEXATION APPLICATION SUBMITTED TO MIAMI-DADE COUNTY FOR AN AREA KNOWN AS THE ‘BISCAYNE CORRIDOR EAST ANNEXATION AREA’ (AS SPECIFICALLY DELINEATED IN THE ATTACHED “EXHIBIT A”), IN AN EFFORT TO RESOLVE COMPETING LOCAL-GOVERNMENT CONFLICTS AND FACILITATE THE ANNEXATION PROCESS TO FRUITION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**STAFF RECOMMENDATION**

That the Mayor and City Council adopt the proposed resolution authorizing the City Manager to amend the existing Biscayne Corridor East Annexation Area application, in an effort to resolve competing local-government conflicts and facilitate the annexation process.

**BACKGROUND INFORMATION**

At the regularly scheduled City Council meeting held on May 24<sup>th</sup>, 2016, the City Council directed the City Manager to prepare a resolution to amend the boundary of the Biscayne Corridor East Annexation application, which is pending at the County. On July 9<sup>th</sup>, 2013, the City Council adopted Resolution No. R-2013-87, authorizing the City Administration to collect data and prepare a formal application to submit to Miami-Dade County to annex into the City the area known as the “Biscayne Corridor East Annexation Area”. The annexation area consists of approximately 17.2 acres (including the roadways) and abuts the City at its southernmost limit. The area is bordered on the north-side by Northeast 121<sup>st</sup> Street; on the east-side by Biscayne Boulevard, including three (3) parcels identified on the east side of Biscayne Boulevard and identified by Miami-Dade County folio numbers: 30-2232-000-0180, 30-2232-000-0270 and 30-2232-042-0010; on the south-side by Northeast 116<sup>th</sup> Street; and on the west-side by Northeast 16<sup>th</sup> Avenue, as specifically delineated in the attached “Exhibit A.” Subsequently, on August 27<sup>th</sup>, 2013, the City Council adopted Resolution No. R-2013-101, approving the submittal to Miami-Dade County of said application.

Consistent with the requirements of Chapter 20 of the Miami-Dade Code of Ordinances, the City submitted the application to the Miami-Dade County Clerk of the Board on October 16<sup>th</sup>, 2013. On November 17<sup>th</sup>, 2013, the Miami-Dade County Board of County Commissioners forwarded the application to the Planning Advisory Board for review, study and recommendation. Based on the presentation and evidence provided, the Planning Advisory Board expressed concerns about the boundary conflicts between the City's application and that of the neighboring jurisdiction (Village of Biscayne Park) and, as such, recommended denial of the City's application to the Miami-Dade County Board of County Commissioners. To date, the item has not been placed on the agenda of the Board of County Commissioners for final consideration.

## **CONCLUSION**

Staff is therefore requesting that the Mayor and City Council adopt the proposed resolution authorizing the City Manager to amend the existing Biscayne Corridor East Annexation Area application, in an effort to resolve the aforementioned boundary conflict.

TWS/nl

### Attachments:

1. Proposed Resolution
2. Exhibit A –“Map of Subject Area”

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

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO AMEND THE ANNEXATION APPLICATION SUBMITTED TO MIAMI-DADE COUNTY FOR AN AREA KNOWN AS THE ‘BISCAYNE CORRIDOR EAST ANNEXATION AREA’ (AS SPECIFICALLY DELINEATED IN THE ATTACHED ‘EXHIBIT A’), IN AN EFFORT TO RESOLVE COMPETING LOCAL-GOVERNMENT CONFLICTS AND FACILITATE THE ANNEXATION PROCESS TO FRUITION; PROVIDING FOR AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.**

**WHEREAS**, Policy 1.2.10 of the City of North Miami (“City”) Comprehensive Plan provides that the City shall continue to pursue annexation of lands located within unincorporated Miami-Dade County that are contiguous to City boundaries, with an emphasis on areas located within the City’s water service area, in order to unify the community and improve the quality of life for the new and existing residents of the City; and

**WHEREAS**, Policy 8.1.7 of the 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 feasible; and

**WHEREAS**, on July 9, 2013, the Mayor and City Council passed and adopted Resolution No. R-2013-87 (“Resolution”), authorizing City administration to prepare and submit a formal application for submission to Miami-Dade County to annex into the City an area known as the ‘*Biscayne Corridor East Annexation Area*’, bordered on the north-side by Northeast 121<sup>st</sup> Street, on the east-side by Biscayne Boulevard, on the south-side by Northeast 116<sup>th</sup> Street, and on the west-side by Northeast 16<sup>th</sup> Avenue, as specifically delineated in the attached “Exhibit A” (“Subject Area”); and

**WHEREAS**, in accordance with the Resolution, City administration submitted the annexation application for the Subject Area, in accordance with the requirements of Section 20-3, Miami-Dade County Code of Ordinances; and

**WHEREAS**, City administration seeks authorization from the Mayor and City Council to do all things necessary to amend the annexation application submitted to Miami-Dade County for

the Subject Property, in an effort to resolve competing local-government conflicts and facilitate the annexation process to fruition; and

**WHEREAS**, the Mayor and City Council have considered the request by City administration and find it to be in the best interest of the City and that it satisfies the goals, objectives and policies of the Comprehensive Plan.

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

**Section 1. Authorization of City Manager to Amend Annexation Application.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the City Manager to do all things necessary to amend the annexation application submitted to Miami-Dade County for an area known as the ‘Biscayne Corridor East Annexation Area’ (as specifically delineated in the attached “Exhibit A”), in an effort to resolve competing local-government conflicts and facilitate the annexation process to fruition.

**Section 2. 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 \_\_\_\_\_, 2016.

\_\_\_\_\_  
DR. SMITH JOSEPH  
MAYOR

ATTEST:

\_\_\_\_\_  
MICHAEL A. ETIENNE, ESQ.  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

\_\_\_\_\_  
ROLAND C. GALDOS, ESQ.  
DEPUTY CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**Vote:**

Mayor Smith Joseph, D.O., Pharm. D.  
Vice Mayor Alix Desulme  
Councilman Scott Galvin  
Councilwoman Carol Keys, Esq.  
Councilman Philippe Bien-Aime

\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)  
\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)  
\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)  
\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)  
\_\_\_\_\_ (Yes) \_\_\_\_\_ (No)

