

Urban Services Report For Annexation of East Lake Area



Prepared Pursuant to:
Chapter 171.044 Florida Statutes
And Pinellas Planning Council Resolution No.98-2
And meeting the Guidelines and Procedures for review of Annexations by Referendum as set forth in
Pinellas County Resolution No.03-128

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Data Sources

1. GIS data from Pinellas County, property record data from Pinellas County Property Appraiser, spreadsheets of each Condominium subdivision, Planned Unit Development (PUD) and Single Family residences in proposed annexation area and used in the calculation of the 70/30 area requirement no more than six months old. (Attached CD dated 9/9/08).
2. Lists of registered electors obtained from the Supervisor of Elections Office used in the calculation of the 70/30 requirement (no more than six months old) (Attached CD).
3. Jones, Edmunds & Associates, Inc. Project Report dated 2002. (Attachment B)
4. Reclaimed Agreement between Pinellas County and City of Oldsmar. (Attachment A)

INTRODUCTION

The City of Oldsmar (hereinafter referred to as “the City”) is commencing annexation procedures for approximately 2,073 acres of property located in unincorporated Pinellas County using the referendum procedures of Section 171.0413, Florida Statutes (F.S.). The annexation area is contiguous to City municipal boundaries. Although the majority of properties have a City mailing address, the annexation area is located within unincorporated Pinellas County. The annexation area shares its southern and eastern boundaries with the City. It is bounded on the north and west by unincorporated Pinellas County. The eastern and southern boundaries are defined by the Brooker Creek Preserve and Tampa Road.

The general area proposed for annexation is shown in Figure 1 and consists of 1,038.44 net acres of residential use, 59.54 net acres of commercial use (including Residential/Office/General and Residential/Office/Retail uses), 79.54 net acres of Industrial Limited use, 695.69 net acres of Commercial Recreation, Recreation/Open Space and Preservation uses, 10.27 net acres Institutional use, 46.08 net acres of Progress Energy right-of-way (ROW), 77.49 net acres of Water feature and 22.95 acres (net of 43 acres) designated as “other” as per the Pinellas County Property Appraiser data. (Note: A “net” acre means acreage less public rights-of-way and submerged land).

The property is accessed by Tampa Road and East Lake Road. The annexation area includes 74.0 acres owned by Lockheed Martin Tactical Defense Systems which shares its southern, eastern and northern boundaries with the City and its western boundary with the East Lake Woodlands development. The land use and parcel information was obtained from the Pinellas Countywide Future Land Use Map and the Pinellas County Property Appraiser data and maps. The legal description provided delineates the entire perimeter of the proposed annexation area in accordance with Chapter 171, F.S. The proposed annexation area is located just north and west of the previously designated Oldsmar Planning Area.

PREREQUISITES TO ANNEXATION

Before annexation by referendum may take place, Section 171.042, Florida Statutes, (Prerequisites to annexation), requires a report to be prepared describing the municipality’s plans to provide urban services to the area to be annexed. This report is intended to satisfy those requirements and is being filed with the Board of County Commissioners 15 days prior to commencing the annexation procedures under Chapter 171.0413, F.S. (Annexation Procedures).

The proposed annexation by referendum requires adoption of an annexation ordinance prior to the date of the referendum. If the referendum is approved, the annexation Ordinance becomes effective 10 days after the referendum or as otherwise provided in the Ordinance. The City has scheduled the first public hearing of the annexation ordinance for November 4, 2008 and the second public hearing for November 18, 2008.

Prerequisites to annexation requires the annexation report contain three types of information: a) maps of the area to be annexed, b) statements certifying the area to be annexed meets the criteria in Sec. 171.043, F.S., and c) statements describing the municipality's plans for extending municipal services to the area (171.042 (c) F.S.).

Pursuant to Pinellas Planning Council (PPC) Resolution No. 98-2, all proposed annexations of ten acres or more require the submission of an annexation report setting forth the plans to provide urban services to any area to be annexed. Such report must be filed in a time frame that allows the PPC to act on the request prior to final action by the annexing local government. This report is prepared to satisfy the PPC Resolution No. 98-2 requirement as well as the requirements of 171.042 F.S.

The East Lake Annexation (hereinafter referred to as "ELA") area will be decided by referendum and therefore must meet the "70/30" requirement. The Pinellas Planning Council is authorized by Pinellas County Resolution No. 03-128 to review annexations that utilize the provisions of Section 171.0413, F.S. for consistency with the adopted advisory review guidelines. This report meets the adopted advisory review guidelines summarized as follows:

1. Total net referendum area: 2,030 acres (2,073.00 acres net of 43 public right-of-way acres).
2. Number of residential units owned by registered elector at the owned property and corresponding acreage thereof in the proposed referendum area: 612.42 acres and 2,123 voter/owners units (Single Family -1,044 units; Condominium – 528 units; Planned Unit Development – 551 units).
3. The acres included in the calculation are consistent with the 70/30 requirement (171.0413(5) F.S.). Approximately 30.17% of the area or 612.42 acres fits within the "owner/voter" requirement, leaving approximately 69.83% of the area "owned by individuals, corporations, or legal entities that are not registered electors at such owned property," or "non-voter/owners."

The following table further verifies the calculation of 70/30 Area Requirement Pursuant to Section 171.0413 F.S. and in compliance with PPC Resolution 98-2 and Pinellas County Resolution 03-128. All data used to calculate the 70/30 area requirement are attached to this report.

Summary of “Voter/Owner” Statistics for East Lake Woodlands

The total Referendum Area is 2,073 acres. The net referendum area, less public right-of-way, is 2,030 acres.
The number of residential units owned by a registered elector at the owned property is 2,123 units. The corresponding acreage is 612.42 acres in the "voter/owner" category and represent 30.17% of the area for voter/owners where at least 30% is required for annexation by referendum.

Number of Dwelling Units by Type

Type of Dwelling Unit	Number of Units
Single Family Detached	1,044
Condominium with PIN	528
Planned Unit Development	551
Total	2,123

To summarize, this report satisfies Sec. 171.042, F.S., Pinellas Planning Council Resolution 98-2 and Pinellas County Resolution 03-128 and complies with the May 2007 Charter Review settlement agreement between the cities and Pinellas County.

GRAPHIC DESCRIPTION

The proposed annexation area is located and contained within Sections 03, 04, 09, 10, 15, 16, of Township 28 South and Range 16 East of Pinellas County, Florida adjacent to the Oldsmar Municipal Boundary and a portion of the utility right-of-way easement to the east and south, west right-of-way of East Lake Road to the West and the North Section lines of Section 3 and 4 to the north. Figure 2 is an aerial map depicting the area to be annexed and Figure 3 shows the general location of the area to be annexed.

LEGAL DESCRIPTION (SECTION 171.0413 (2) (c), F.S.)

Pursuant to Section 171.0413 (2) (c), Florida Statutes, the legal description of the area proposed for annexation is shown in Figure 7.

MAPS – SECTION 171.042(1) (A) F.S.

Pursuant to the requirements of Chapter 171.042(1) (a), F.S., the following maps must be included in the report and are attached.

1. A map or maps of the municipality and adjacent territory showing the present and proposed municipal boundaries including an aerial map of the proposed annexation area (Figure 1 and Figure 2).
2. Detailed map of the area proposed for annexation (Figure 3).
3. Legal description of the area proposed for annexation (Figure 7).
4. A map or maps showing the present major trunk water mains and sewer interceptors and outfalls, and the proposed extensions of such mains and outfalls (Figure 4 and Figure 5).
5. A map or maps showing the general land use pattern in the area to be annexed (Figure 6).

Countywide Future Land Use Distribution

Future Land Use Plan Category	Acres
Residential Low	464.78
Residential Suburban	573.66
Commercial General	22.99
Commercial Recreation	30.09
Industrial Limited	79.54
Preservation	386.66
Recreation / Open Space	278.94
Transportation / Utility ¹	46.08
Institutional	10.27
Residential / Office General	11.39
Residential / Office / Retail	25.16
Water Features	77.49
Other ²	65.95

¹ For the purposes of computing the area of the Progress Energy right-of-way, the limits of the right-of-way were set on the east at Oldsmar City limit line and on the west S.R. 584/Tampa Road.

Total	2,073
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CERTIFICATIONS (SECTIONS 171.042 (1) (B) AND 171.043, F.S.

REQUIRED DECLARATIONS

Pursuant to Chapter 171.043, F.S., the City of Oldsmar certifies the annexation will not result in the creation an enclave and that the area to be annexed is contiguous to the municipality’s boundaries as defined in Chapter 171.031 (11), F.S., at the time the annexation proceeding began (see Figure 1, 2 and 3).

The annexation area is contiguous to the City for at least 50% of its perimeter. It is possible to reach the area proposed for annexation using public right-of-way by traveling through the City via Tampa Road.

The City of Oldsmar certifies that the area to be annexed is reasonably compact and no part of the area is located within the boundary of another incorporated municipality (171.043 (1)). The City of Oldsmar further certifies that all of the area to be annexed is developed for urban purposes and that all definitions contained in Chapter 171.031 (8), F.S., [“Urban in Character”], Chapter 171.031 (10), F.S., [“Urban Purposes”] and the criteria outlined in Chapter 171.043 (2), F.S., regarding standards for urban purposes are met by the area.

PROPOSED EXTENSION OF SERVICES

Section 171.042(1) (a) F.S. requires a map of the proposed extensions of water mains and sewer outfalls. However, water and sewer lines are already in place for all areas within the annexation area. There are no new water or sewer extensions proposed (or necessary) in the annexation area at this time.

EXTENSION OF MUNICIPAL SERVICES SECTION 171.042 (1) (C), F.S.

Upon annexation, the area will be subject to all laws, regulations, and ordinances in effect in the City as well as all privileges and benefits entitled to City residents. All municipal services provided within the City will be afforded to the residents of the area to be annexed.

As previously stated, the proposed annexation area currently has potable water and sanitary sewer services to serve the area. However, some of the private services will eventually come under City services, such as solid waste collection and recycling. The City may also improve and maintain the existing privately owned irrigation system and the existing reclaimed water may be expanded to serve the area in the future. The City, through its annual budget, specifically its Capital Improvement

² Areas designated by the Pinellas County Property Appraiser as publicly dedicated right-of-way, submerged lands, or wetlands without a PIN.

Program (CIP) will identify all new capital improvements that may be necessary as a result of this annexation.

POTABLE WATER

The ELA area currently receives potable water from Pinellas County Utilities. No change in this arrangement is anticipated. The Pinellas County Utility system also provides potable water to City residents and the City maintains the water distribution system up to individual property lines. The City currently provides water and sewer to Lockheed Martin.

According to the Pinellas County Comprehensive Plan, potable water will adequately meet the projected needs of the greater Oldsmar service area, including the entire ELA area through the year 2015. To ensure that potable water will be available beyond the year 2015, opportunities to conserve and locate alternative sources are continually being sought. Conservation programs are generally handed down from Pinellas County and regional agencies, particularly from the Southwest Florida Water Management District (SWFWMD) along with Tampa Bay Water. The City encourages its' residents to comply with the water restrictions set forth by the County Commission and SWFWMD. Enacted by ordinance, these agencies regulate the time and day residents can irrigate lawns and landscaped areas. The existing water system and hydrant configuration in the ELA area are acceptable.

Based on the level of service and coverage of the potable water system, no water main extensions are proposed at this time. Figure 8 illustrates a map of the existing distribution system.

SANITARY SEWER

The proposed annexation area is within the Pinellas County Utilities sewer service area. Wastewater from the area proposed for annexation is directed to Pinellas County's North County wastewater treatment facilities. No change in sewer service is expected upon annexation and no sewer main extensions are proposed at this time. According to the County's Comprehensive Plan and the latest flow reports, capacity is adequate at the facility for present and future service.

Although the County will continue to provide sewer service to the ELA area, it should be noted that the County has an agreement with the City of Oldsmar that the City will treat up to 550,000 gallons of wastewater each day and in return sell the County 700,000 gallons of reclaimed water (attachment "A"). The City charges the County at a bulk rate for the wastewater treatment and for the return sale of reclaimed water.

Many cities, including Oldsmar, treat and disinfect domestic wastewater so that it can be safely used for irrigation and other non-potable purposes. Quantity and availability is limited, however, and the City does not make reclaimed water service available to customers outside of the City limits with the

exception of the interlocal agreement with Pinellas County. While no plans exist to serve the ELA area, should annexation occur, residents will be afforded the opportunity to petition the City to expand the system into their community.

Currently, the irrigation system in place that provides irrigation to residential uses in East Lake Woodlands is owned by a private company. Irrigation is accomplished by pumping shallow wells and retention ponds. Based on a study completed in 2002, the system is not in good shape (Attachment "B" JEA 2002 study). If the ELA area is annexed into the City, Oldsmar will consider buying the system, making the necessary improvements, and maintaining the system.

If the City purchases, improves and maintains the irrigation system it will be financed by the City's Water and Sewer Enterprise Fund.

SOLID WASTE

Residents and businesses in the ELA area must contract with private haulers for solid waste collection and disposal. If recycling is desired, they may also contract for collection of recyclable waste, or transport it to the County's waste-to-energy facility themselves. The City currently provides these services to its residents and businesses by awarding a contract to a private hauler through a competitive bidding process. Upon annexation, the City, through its contract with Republic Waste Services will be able to provide solid waste services to the area proposed for annexation which will be an increased benefit. Instead of residents negotiating a price for any number of a widely varied list of services from individual contractors for an individual business or HOA, the City negotiates an exclusive contract for service with a waste contractor on behalf of all the residential and commercial units in the City, resulting in higher levels of service at reduced and unified prices.

The monthly charge to City residents for solid waste collection and disposal and collection of recyclables will be \$15.00 per household effective October 1, 2008. This service includes two (2) trash pick-ups and one (1) recycling pick up per week. Special pick-ups (bulky items and large appliances) can be arranged by the resident at no additional cost. Further, the City sponsors free of charge to residents, one hazardous waste collection day per year. Commercial price for solid waste collection and disposal is based on the size of the container and frequency of pick-up.

The City will continue to work with its current and/or future franchise solid waste provider along with Pinellas County to maintain or reduce its per capita generation of non-recyclable solid waste. Additionally, the City will continue a resource recovery program that encourages City residents and businesses to recycle aluminum, newspaper and other waste products as may be appropriate.

In the event the ELA area is annexed, solid waste collection and disposal and collection of recyclable waste will eventually become the responsibility of the City as soon as practicable depending upon

individual contracts and specifications of Sec. 171.062 (4), F.S. Before the City can assume this responsibility, however, existing private waste contracts must be allowed to run for a period of five years or the term of the contract, whichever is less. If an additional recycling truck is required, it will be included in the five year Capital Improvement Budget. Additional personnel will be funded by the Solid Waste Fund.

POLICE

The Pinellas County Sheriff's Department provides law enforcement service to both the ELA area and the City. This service for the ELA area is currently funded in unincorporated Pinellas County utilizing proceeds from the Municipal Services Taxing Unit, an ad valorem tax collected from property owners in the unincorporated portion of Pinellas County. In the City, the service is provided through an annual contract between the City and Sheriff's Department. The service is funded in the City utilizing City taxes.

The contract provides two community police officers and two traffic control officers. Due to the size and population of the ELA area, additional police services may be necessary. Additional services contracted with the Sheriff's Office would be handled through the annual negotiations for such services with that office. Resultant costs for additional police services would be offset by additional ad valorem tax revenues anticipated as a result of the annexation and financed through the General Fund.

FIRE PROTECTION - FIRE/EMERGENCY MEDICAL SERVICE (EMS)

East Lake Fire District is responsible for fire and EMS service within the ELA area. As part of the East Lake Fire District, the ELA area property owners pay a special ad valorem property tax assessment to the District. There are numerous cities and fire districts in Pinellas County with similar contracts and payment plans, however the entity that actually provides emergency response to an area varies depending upon the proximity or distance to the area. Fire service agencies follow a countywide closest unit dispatch philosophy to assure that all residents receive the fastest response possible after 911 calls for service. In many instances, the nearest fire station to the southeastern portions of the ELA area is located in the City at 225 Pine Avenue North, and City fire units are the designated closest unit "first responder" in the event of a call for fire or emergency medical service.

In the event the ELA area is annexed into the City, Oldsmar Fire Rescue and East Lake Fire Rescue will continue to provide fire and emergency medical services to the ELA area. However, the ELA area property owners would no longer be part of the East Lake Fire District and, consequently, would no longer pay the special property tax assessment to the District. Instead, the ELA area property owners would pay municipal taxes to the City, which would contract with East Lake Fire District for fire service. Emergency medical service will be unaffected by annexation as the service will continue to be funded by Pinellas County from taxes collected on a countywide basis and

apportioned to Oldsmar Fire Rescue and East Lake Fire Rescue as EMS First Responder service providers.

STREETS AND ROADS

Currently the County controls four main roadways in the ELA area: East Lake Woodlands Parkway, Woodlands Parkway, Woodlands Boulevard and Sunflower Drive. These County roads are leased to the Community Association and the Community Association maintains these roadways. Local streets within individual neighborhoods are private and maintenance is currently the responsibility of the individual HOA's. Sidewalks are installed on both sides of the main thoroughfares: East Lake Woodlands Parkway, Woodlands Parkway and Woodlands Boulevard and on both sides of the private neighborhood streets. The roadways are paved to provide for two-way traffic and include curbs and gutters and are adequately constructed to handle its low volume neighborhood usage. In the event this area is annexed by the City, the four main roads currently owned by the County and maintained by the Community Association would be maintained by the City. The City has the ability to provide maintenance to these major roads to include the sidewalks and drainage structures on the four main roads. All private roads that are currently the responsibility of the individual Homeowner Associations would continue to be maintained by their respective HOA's. Construction and upkeep of the roads would then be funded through municipal taxes.

The City provides all traffic regulation devices such as signposts and street and stop signs. Street and stop signs in ELA area were determined to be in acceptable quantities and condition at the time of this study. Any area currently lacking sufficient traffic signs, traffic signals and street lighting, will be brought into compliance with acceptable standards for all traffic regulatory devices and streetlights. An adequate streetlight program currently exists in cooperation with Florida Power Corporation and Tampa Electric. The regulatory signs would be handled through the City's Public Works Department.

STORMWATER DRAINAGE

Drainage and stormwater management for the local streets and areas in unincorporated East Lake Woodlands is under the Golf Course and Homeowners Association. Outfalls are maintained by Pinellas County and in some cases the City. In the event that this area is annexed into the City, the City's Public Works Department has the ability to maintain the outfalls currently maintained by the County. In addition, local drainage and stormwater management, including responsibility for the existing infrastructure that is currently under the County, would transfer to the City. The City charges a monthly stormwater fee of \$3.00 per residential customer, and \$3.00 per equivalent residential unit for commercial customers. Revenue generated from monthly fees is placed in an enterprise fund, which is a self-supporting fund where the revenue funds the expense of stormwater management. In addition, some general fund revenue is also used to fund drainage maintenance work.

RECREATION SERVICES

Organized recreational programs are not presently provided by Pinellas County to ELA area residents. If participation in such programs is desired, residents must turn to municipalities for these privileges, for which non-resident fees are normally charged. The City's Leisure Services Department sponsors senior activities as well as children's and youth programs at reduced in-city rates. The current annual fee for a non-resident individual recreation card is \$110. The fee for residents is \$5 for an individual or \$15 for a family.

The City has the ability to provide recreation services and facilities to residents within the area proposed for annexation. There are no existing public parks or recreation facilities within the ELA area. However, there are numerous parks and facilities nearby in the City. ELA area is located adjacent to Canal Park (46 acres) with baseball, football, and soccer fields, bicycle motor cross track, outdoor racquetball court, playground, picnic pavilions and future trail connection to the Oldsmar Trail. In addition, there are numerous City public facilities available nearby including a senior citizen center, picnic shelters, tennis and basketball courts, special event facilities, water spray ground and playgrounds. For example, R.E. Olds Park, located at 107 Shore Drive, is a waterfront park on Old Tampa Bay that features a fishing pier, picnic facilities and 12,000 square foot Friendship Playground and an amphitheater.

OLDSMAR COMMUNITY LIBRARY

The Oldsmar Library is a municipal library, and a member of the Pinellas Public Library Cooperative and Tampa Bay Library Consortium. Since opening in January 2008 more than 63,000 patrons have taken advantage of the services provided by the 19,000 square foot library. There are 22,500 registered patrons, 2,200 are ELA area residents.

The ELA area lies within the area already served by the Oldsmar library. Those cardholders who previously had been classified as residents in the unincorporated County before the annexations will be reclassified as City residents. Consequently, library services tax dollars of those cardholders will be directed to the City rather than the County.

VARIOUS ADMINISTRATIVE AND MANGEMENT FUNCTIONS

Building inspection, code enforcement, planning, economic development, finance, budgeting, and other administrative and management functions are presently performed by Pinellas County. These functions are funded through the Municipal Services Taxing Unit. In the event the ELA area is annexed, the responsibility for these functions will become the responsibility of the City and will be funded through municipal taxes.

PLANNING & REDEVELOPMENT

The Planning & Redevelopment Department is responsible for evaluating and recommending changes in land use, enforcing zoning and land development regulations, providing information to builders, developers, and the general public about the possible land uses and structures given the current zoning restrictions and the surrounding land uses, as well as processing site plan reviews, variances, conditional use and rezoning applications through the proper administrative processes. All Business Tax Receipts may be obtained at 100 State Street West which is a convenient location for all businesses within the annexation area.

Code Enforcement is responsible for all code enforcement within the corporate limits of the City dealing with quality of life and property maintenance issues, including but not limited to tall grass and weeds, trash and debris and the parking and/or maintenance of inoperable vehicles on private properties. Any increase in personnel, particularly with regard to code enforcement personnel will be funded by the general fund.

PUBLIC WORKS DEPARTMENT

The City's Public Works Department is responsible for the day-to-day maintenance of the City owned facilities as well as infrastructure throughout the City such as sidewalks, ditch maintenance, street repairs and improvements, street signs and traffic signals. On an annual basis, the City administration will review the related service needs and propose related budget additions to cover such services. Such costs for service will be offset by tax revenues received from the annexed area.

CONCLUSION

Based on the information presented within this report as required by Section 171.042, Florida Statutes, the City of Oldsmar has the ability to provide urban services to the area proposed for annexation.