

City of Dade City

AGENDA MEMO

To: Mayor and Members of the City Commission
From: Karla S. Owens, Community Development Director/City Attorney
Subject: Proposed Annexation/PHCC
Date: January 14, 2009

It is requested that the City Commission consider the following information and recommendation(s):

BACKGROUND:

The Pasco-Hernando Community College District Board of Trustees has recently filed a petition for annexation of an additional 20 acres of property along the north side of Blanton Road to be developed as part of the existing campus. Specifically, the subject property will contain the existing welding instructional lab and will be primarily used as an additional entryway.

ISSUES:

Chapter 171, Florida Statutes, requires certain characteristics to be present before land may be annexed by a municipality. The subject property meets all criteria as the west side of the parcel is directly contiguous with existing City boundaries. The property is also reasonably compact, not part of any other municipality, and will not create an enclave.

ALTERNATIVES:

1. Introduce the attached Ordinance and authorize staff to advertise for the appropriate public hearing.
2. Do not introduce the attached Ordinance.

RECOMMENDATION:

Staff recommends that the City Commission approve Alternative No. 1.

FUNDING:

Funding for the advertisement of this item has previously been budgeted.

AT THE REQUEST OF THE CITY COMMISSION

ORDINANCE NO.: 2009-01

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF DADE CITY, FLORIDA, ANNEXING ADDITIONAL TERRITORY TO BE INCLUDED WITHIN THE BOUNDARIES OF SAID CITY PURSUANT TO THE REQUEST OF THE OWNERS OF SUCH LANDS AND IN ACCORDANCE WITH SECTION 171.044, FLORIDA STATUTES, AS AMENDED. (PHCC PARCEL).

WHEREAS, the District Board of Trustees of Pasco-Hernando Community College, is the present owner of the land hereinafter described in Section 1 below, and has requested and consented to the annexation by the City of Dade City of the land herein described in Section 1 below; and

WHEREAS, the City is authorized by Chapter 171, Florida Statutes, to annex contiguous and infill areas, and to extend the City limits upon receipt of written consent of the land owner, together with the approval of the City Commission after notice and public hearing; and

WHEREAS, the City Commission has reviewed and evaluated the application submitted, and has determined that the annexation of said land into the City is in the public interest and is consistent with the City's Comprehensive Plan and Land Development Regulations.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the City Commission of the City of Dade City, Florida, as follows:

SECTION 1: The following described land, lying and being situate in Pasco County, Florida, to-wit:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST ¼ OF SECTION 21, TOWNSHIP 24 SOUTH, RANGE 21 EAST, THENCE NORTH 0 DEGREES 12' 21" EAST ALONG THE EAST BOUNDARY OF SAID SOUTHWEST ¼ 700.00 FEET. THENCE WEST 1318.80 FEET TO A POINT 718.50 FEET NORTH OF THE SOUTH BOUNDARY OF SAID SECTION 21. THENCE SOUTH 718.50 FEET TO A POINT ON SAID SOUTH BOUNDARY OF SAID SECTION 21. 1314.50 FEET WEST OF THE POINT OF BEGINNING. THENCE EAST ALONG SAID SOUTH BOUNDARY OF SAID SECTION 21. 1314.50 FEET TO THE POINT OF BEGINNING. LESS THE RIGHT-OF-WAY OF STATE ROAD 41. PASCO COUNTY, FLORIDA

CONTAINING 20 ACRES, MORE OR LESS.

PARCEL I.D. NO.: 21-24-21-0000-01800-0020

is hereby annexed to and included within the boundaries of the City of Dade City, Florida, a municipal corporation.

SECTION 2: Said land is contiguous to or is infill of the present City limits of the City of Dade City. Said land is now unincorporated and lies in the same County as said City, and when annexed would form a compact addition to the incorporated territory of said City. That the owner of said land contained in said area to be annexed has given written consent to have such annexation for said area.

SECTION 3: The City of Dade City, Florida, is authorized by the legislature of the State of Florida, pursuant to Section 171.044, Florida Statutes, and pursuant to the Charter of the City of Dade City, to annex contiguous and infill areas and to extend the City limits or territorial boundaries upon receipt of a written consent of all owners of land contained in the area to be annexed, together with the approval of the City Commission of the City of Dade City, of said annexation duly expressed by Ordinance.

SECTION 4: It is the intention of the City Commission of the City of Dade City, Florida to annex the above-described land to the City within its territorial limits and the boundary lines of said City are hereby redefined and extended so as to include said area of land within its territorial limits upon the final passage of this Ordinance.

SECTION 5: This Ordinance shall be published in a newspaper of general circulation for two (2) consecutive weeks, and proof of publication of this Ordinance shall be filed herein.

SECTION 6: Upon the filing of the Proof of Publication and final adoption of this Ordinance, a copy of same shall be filed with the Clerk of the Circuit Court of Pasco County, Florida, and a copy will be forwarded to the Department of State, Tallahassee, Florida.

The foregoing Ordinance No.: 2009-01 was read and passed on introduction on January 27, 2009, and was read and adopted following a public hearing in open and regular meeting by the City Commission of Dade City, Florida on the 10th day of February, 2009.

ATTEST:

CITY OF DADE CITY, FLORIDA

James D. Class, City Clerk

Scott Black, Mayor

Approved as to legal form and content

Office of the City Attorney