

STORAGE NAME: h4797.ca

DATE: April 18, 1998

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
COMMUNITY AFFAIRS
BILL RESEARCH & ECONOMIC IMPACT STATEMENT - LOCAL LEGISLATION**

BILL #: HB 4797

RELATING TO: Broward County

SPONSOR(S): Representative Rayson

COMPANION BILL(S): SB 2692 (i)

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) COMMUNITY AFFAIRS
 - (2)
 - (3)
 - (4)
 - (5)
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I. SUMMARY:

The bill provides for a re-wording of the boundaries of the areas commonly known as "Southwest Ranches" and "Sunshine Ranches" which are located in Broward County. The bill provides that if an annexation occurs, all public roads and public rights of way within the annexed areas are transferred from the jurisdiction of Broward County to the jurisdiction of the annexing municipality. The annexing municipality is responsible for any transferred roads upon the majority vote, in favor of annexation, of qualified electors.

The bill provides if the areas commonly known as "Southwest Ranches" and "Sunshine Ranches" do not vote to incorporate into a new municipality, the area commonly known as "Coquina Flats" will be annexed into the Town of Davie, as of October 1, 2000.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

Broward County is located on Florida's South Atlantic coast and consists of nearly 1,200 square miles and a population of approximately 1.3 million residents. Broward County currently contains 29 municipalities, the majority of which achieved their current corporate boundaries through a multitude of annexations.

In 1996, in cooperation with the Broward County Commission, the Broward County Legislative Delegation created the Ad Hoc Committee on Annexation Policy. The delegation charged the committee with the responsibility of developing and recommending policy to the Broward Legislative Delegation regarding the terms under which it would consider future annexations. The committee recommended that annexation of all the remaining unincorporated areas of Broward County should be encouraged to occur by the year 2010 and unincorporated areas remaining after 2010 will be subject to required annexation by the Florida Legislature.

Chapter 97-371, Laws of Florida provides a process to determine the future governance of two unincorporated areas in Broward County known as "Southwest Ranches" and Sunshine Ranches."

The Broward County Legislative Delegation is required to direct a study of a specified area that includes "Sunshine Ranches" and "Southwest Ranches." The study is to address the future governance of the area. The cost of the study is to be borne equally by Broward County and each municipality indicating a desire to annex "Southwest Ranches" or "Sunshine Ranches." The study must be completed by January 1, 1999.

On March 14, 2000, at separate elections of the residents of "Southwest Ranches" and "Sunshine Ranches," the registered voters of each area will choose one city for annexation among those cities that have chosen to appear on the ballot, or whether they wish to incorporate into a new municipality, not a part of an existing municipality.

B. EFFECT OF PROPOSED CHANGES:

The bill provides for a re-wording of the boundaries of the areas commonly known as "Southwest Ranches" and "Sunshine Ranches" which are located in Broward County. The bill provides that if an annexation occurs, all public roads and public rights of way within the annexed areas are transferred from the jurisdiction of Broward County to the jurisdiction of the annexing municipality. The annexing municipality is responsible for any transferred roads upon the majority vote, for annexation, of qualified electors.

The bill provides if the areas commonly known as "Southwest Ranches" and "Sunshine Ranches" do not vote to incorporate into a new municipality, the area commonly known as "Coquina Flats" will be annexed into the Town of Davie, as of October 1, 2000.

C. LAWS OF FLORIDA/FLORIDA STATUTES AFFECTED:

Chapter 97-371, Laws of Florida.

D. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

The bill may result in the annexation of certain properties into the Town of Davie. The Town of Davie is vested with all powers granted to municipalities. This includes the ability to make rules.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

The Town of Davie may assume the responsibility for providing urban services to residents residing within Coquina Flats.

(3) any entitlement to a government service or benefit?

N/a

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/a

(2) what is the cost of such responsibility at the new level/agency?

N/a

(3) how is the new agency accountable to the people governed?

N/a

2. Lower Taxes:

- a. Does the bill increase anyone's taxes?

If the area commonly known as "Coquina Flats is annexed, each property owner will pay approximately \$3,500 annually in increased taxes.

- b. Does the bill require or authorize an increase in any fees?

No.

- c. Does the bill reduce total taxes, both rates and revenues?

No.

- d. Does the bill reduce total fees, both rates and revenues?

No.

- e. Does the bill authorize any fee or tax increase by any local government?

See 2a.

3. Personal Responsibility:

- a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

N/a

- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

N/a

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

N/a

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

N/a

5. Family Empowerment:

a. If the bill purports to provide services to families or children:

(1) Who evaluates the family's needs?

N/a

(2) Who makes the decisions?

N/a

(3) Are private alternatives permitted?

N/a

(4) Are families required to participate in a program?

N/a

(5) Are families penalized for not participating in a program?

N/a

b. Does the bill directly affect the legal rights and obligations between family members?

N/a

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

N/a

(2) service providers?

N/a

(3) government employees/agencies?

N/a

E. SECTION-BY-SECTION RESEARCH:

Section 1: Amends section 5 of chapter 97-371, Laws of Florida, to provide for the substantial re-wording of the legal description of the area commonly known as "Southwest Ranches."

Section 2: Amends section 10 of chapter 97-371, Laws of Florida, to provide for the substantial re-wording of the legal description of the area commonly known as "Sunshine Ranches."

Section 3: Provides that if an annexation occurs, all public roads and public rights of way within the annexed areas are transferred from the jurisdiction of Broward County to the jurisdiction of the annexing municipality. The annexing municipality is responsible for any transferred roads upon the majority vote, for annexation, of qualified electors.

Section 4: Provides if the areas commonly known as "Southwest Ranches" and "Sunshine Ranches" do not vote to incorporate into a new municipality, the area commonly known as "Coquina Flats" will be annexed into the Town of Davie, as of October 1, 2000.

Section 5: Provides that this act shall take effect upon becoming a law.

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes [] No []

IF YES, WHEN?

WHERE?

B. REFERENDUM(S) REQUIRED? Yes [] No [x]

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached [x] No []

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached [x] No []

IV. COMMENTS:

None.

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V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VI. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

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