

1                                   A bill to be entitled  
2           An act relating to Broward County; extending  
3           the corporate limits of the Cities of Fort  
4           Lauderdale and Pompano Beach and the Town of  
5           Lauderdale-By-The-Sea; providing for annexation  
6           by election of the unincorporated areas known  
7           as the "Intracoastal/Beach Area" and  
8           surrounding areas; providing for incorporation  
9           of a new municipality by election; providing an  
10          effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

13  
14           Section 1. The Cities of Fort Lauderdale and Pompano  
15 Beach and the Town of Lauderdale-By-The-Sea have duly enacted  
16 resolutions submitted to the Broward County Legislative  
17 Delegation, setting forth their intent to prepare proposals  
18 for annexation of the "Intracoastal/Beach Area," as described  
19 in section 4.

20           Section 2. (1) The Broward County Legislative  
21 Delegation has directed a study of the area east of the  
22 Intracoastal Waterway, west of the Atlantic Ocean, south of  
23 the corporate limits of the City of Pompano Beach, and north  
24 of the corporate limits of the Town of Lauderdale-By-The-Sea  
25 and the Village of Sea Ranch Lakes. The study shall determine  
26 the effects of annexation into any municipality proposing an  
27 annexation in the studied areas or the incorporation of the  
28 studied area into a new municipality. The study shall also  
29 include a determination of the viability of a new municipality  
30 composed only of the "Intracoastal/Beach Area," as described  
31 in section 4. Further, the study shall determine the effects

1 of annexation/incorporation on the employees of Broward County  
2 and how to ameliorate same. This study shall be performed by  
3 an independent agency or educational institute not affected or  
4 associated with the proposed annexation as determined by the  
5 Legislative Delegation of Broward County. The cost of the  
6 study shall be borne by Broward County.

7 (2) The residents of the "Intracoastal/Beach Area" and  
8 the participating municipalities shall have input as to who  
9 does the study and the parameters of said study. Broward  
10 County shall be responsible for the printing and distribution  
11 of the study to each household in the "Intracoastal/Beach  
12 Area." Further, Broward County shall be responsible for all  
13 notices for meetings concerning presentation and discussions  
14 of the study to be held by homeowner associations in the  
15 "Intracoastal/Beach Area" areas.

16 (3) In no event shall this act be interpreted to  
17 affect in any way the powers or authority of the Village of  
18 Sea Ranch Lakes as an independent municipal corporation. The  
19 Legislature recognizes the right of the Village of Sea Ranch  
20 Lakes to continue to exist as an independent municipal  
21 corporation and no aspect of the study contemplated by this  
22 act nor the election to be held for potential annexation of  
23 portions of unincorporated Broward County into any of the  
24 existing municipalities included within the act, nor vote for  
25 incorporation of a new municipality, shall interfere with or  
26 be construed to adversely affect the autonomy of the Village  
27 of Sea Ranch Lakes. No municipality or other governmental  
28 entity within Broward County shall enter into any interlocal  
29 or other agreement with any other municipality, governmental  
30 entity, or person which interferes with or adversely affects:  
31

1       (a) Any existing agreement to which the Village of Sea  
2 Ranch Lakes is a party for the provision or delivery of  
3 municipal services to the Village of Sea Ranch Lakes by any  
4 municipality, governmental entity, or person; or

5       (b) The rights, privileges, or obligations of the  
6 Village of Sea Ranch Lakes in the future to provide or  
7 contract for the delivery of municipal services to the Village  
8 of Sea Ranch Lakes.

9       Section 3. No later than October 1, 1999, each  
10 municipality which enacted a resolution pursuant to section 1  
11 may inform the Broward County Legislative Delegation that it  
12 desires to proceed with its annexation proposal made pursuant  
13 to section 1, and that if a resolution as described is  
14 received by the Broward County Legislative Delegation no later  
15 than October 1, 1999, each municipality shall appear on a  
16 ballot.

17       Section 4. The legal description of the  
18 "Intracoastal/Beach Area" is as follows:

19  
20       A parcel of land in Sections 6 and 7 of  
21 Township 49 South, Range 43 East, being more  
22 particularly described as follows:

23  
24       Begin at the intersection of the South line of  
25 Section 7, Township 49 South, Range 43 East and  
26 the centerline of the Intracoastal Waterway;  
27 THENCE Northerly along the centerline of the  
28 Intracoastal Waterway to the intersection with  
29 a line 25 feet south of and parallel with the  
30 North line of Section 7, Township 49 South,  
31 Range 43 East; THENCE Easterly along the said

1 parallel line to the Easterly right-of-way line  
2 of the Intracoastal Waterway; THENCE Northerly  
3 along the said Easterly right-of-way line to  
4 the Southwest corner of Lot 1, Block 16 of  
5 TERRA MAR ISLAND ESTATES, SECOND ADDITION, as  
6 recorded in Plat Book 31, Page 20 of the Public  
7 Records of Broward County, Florida; THENCE  
8 Southeasterly along the South line of said Lot  
9 1, Block 16 to the Southeast corner of said Lot  
10 1, Block 16; THENCE Northeasterly along the  
11 East line of said Lot 1, Block 16 to the  
12 Westerly extension of the South line of Block  
13 12 of said TERRA MAR ISLAND ESTATES, SECOND  
14 ADDITION; THENCE Easterly along the said South  
15 line of Block 12 and the extension thereof to  
16 the West line of Lot 1, Block 15 of said TERRA  
17 MAR ISLAND ESTATES, SECOND ADDITION; THENCE  
18 Southerly along the said west line of Lot 1,  
19 Block 15 and the West line of Lot 10, Block 11  
20 of TERRA MAR ISLAND ESTATES, FIRST ADDITION as  
21 recorded in Plat Book 31, Page 10 of the Public  
22 Records of Broward County, Florida to the  
23 Southwest corner of said Lot 10, Block 11;  
24 THENCE Easterly along the South line of said  
25 Lot 10, Block 11 and its extension thereof to  
26 the centerline of Spanish River; THENCE  
27 Southerly along the said centerline of Spanish  
28 River to a point 1,350 feet South of the North  
29 line of the Southeast One-Quarter (SE 1/4) of  
30 said Section 6, Township 49 South, Range 43  
31 East; THENCE South 200 feet to a point on a

1        line 1,550 feet South of and parallel with the  
2        said North line of the Southeast One-Quarter  
3        (SE 1/4) of Section 6, and being 1,127.43 feet  
4        East of the said Easterly right-of-way line of  
5        the Intracoastal Waterway; THENCE Easterly  
6        along said parallel line to the Easterly  
7        right-of-way line of Florida State Road A-1-A  
8        (South Ocean Boulevard); THENCE Northeasterly  
9        along the said Easterly right-of-way line of  
10       State Road A-1-A to a line 850 feet South of  
11       and parallel with the said North line of the  
12       Southeast One-Quarter of Section 6; THENCE  
13       Easterly along said parallel line and its  
14       Easterly extension thereof, through Government  
15       Lot 2, Section 5, Township 49 South, Range 43  
16       East to the shore line of the Atlantic Ocean;  
17       THENCE Southerly along said shoreline to a line  
18       380 feet North of and parallel with the South  
19       line of the Northeast One-Quarter of the  
20       Southeast One-Quarter of Section 7, Township 49  
21       South, Range 43 East; THENCE Westerly along  
22       said parallel line and along a line 380 feet  
23       North of and parallel with the South line of  
24       the Northwest One-Quarter of the Southeast  
25       One-Quarter (SE 1/4) of said Section 7 to the  
26       Westerly right-of-way line of Florida State  
27       Road A-1-A; THENCE Northerly along said  
28       Westerly right-of-way line of State Road A-1-A  
29       to the intersection of the North line of the  
30       Southeast One-Quarter of Section 7, Township 49  
31       South, Range 43 East; THENCE Westerly along the

1       said North line of the Southeast One-Quarter of  
2       Section 7, Township 49 South, Range 43 East and  
3       along the North line of the Southwest  
4       One-Quarter (SW 1/4) of said Section 7 to the  
5       Easterly right-of-way line of the Intracoastal  
6       Waterway; THENCE Southerly along said Easterly  
7       right-of-way line to the South line of Section  
8       7, Township 49 South, Range 43 East; THENCE  
9       Westerly along the said South line of Section  
10       7, Township 49 South, Range 43 East to the  
11       POINT OF BEGINNING.

12  
13       Section 5. (1) The Board of County Commissioners of  
14 Broward County shall schedule an election in accordance with  
15 the provisions of the law relating to elections currently in  
16 force in Broward County to be held on the same date as the  
17 first primary in connection with the general election of  
18 November 7, 2000. The subject of said election shall be the  
19 annexation of the area described in section 4 commonly known  
20 as the "Intracoastal/Beach Area," or the intent to incorporate  
21 same into a new municipality. Only registered voters residing  
22 in the "Intracoastal/Beach Area" as described in this act may  
23 vote in said election. The name of each municipality which  
24 chooses to be considered for annexation and which has enacted  
25 resolutions as provided for in sections 1 and 3 shall appear  
26 on a ballot. Also appearing on this ballot shall be the  
27 phrase, "Incorporation into a new municipality."

28       (2) The term "entity," hereinafter used in this act,  
29 shall refer to the name of each municipality included on the  
30 ballot and also the phrase "Incorporation into a new  
31 municipality." The term "voter," hereinafter used in this act,

1 shall refer to registered voters voting in the elections  
2 provided by this act.

3 (3) The voters residing in the "Intracoastal/Beach  
4 Area" shall choose one city for annexation among those who  
5 shall have chosen to appear on a ballot pursuant to sections 1  
6 and 3, or whether they wish to incorporate into a new  
7 municipality, not a part of any existing municipality.

8 Section 6. (1) If a majority of voters vote for  
9 annexation into an existing municipality, the  
10 "Intracoastal/Beach Area" shall become a part of said  
11 municipality on October 1, 2001.

12 (2) If a majority of voters in the "Intracoastal/Beach  
13 Area" votes to incorporate into a new municipality, the  
14 Broward County Legislative Delegation shall direct the  
15 drafting of a charter of a new municipality to include the  
16 "Intracoastal/Beach Area" to be submitted for enactment for  
17 the legislative session immediately subsequent to said  
18 election. The draft for the new municipality to include the  
19 "Intracoastal/Beach Area" shall be drafted with the aid of a  
20 "Charter Guiding Board" made up of area residents, to assist  
21 the Broward County Legislative Delegation in writing the  
22 charter of the new municipality.

23 Section 7. If no entity receives a majority vote of  
24 the voters as provided for in section 5, there shall be a  
25 runoff election to be held on November 7, 2000 between the two  
26 entities which have received the highest number of votes in  
27 the election provided for in section 5.

28 Section 8. If a runoff is necessitated as provided for  
29 in section 7, and:

30 (1) A municipality receives a majority vote of those  
31 voters voting in the runoff election provided for in section

1 7, the "Intracoastal/Beach Area" shall become annexed to said  
2 municipality as provided in section 6(1).

3 (2) A majority of the voters in the  
4 "Intracoastal/Beach Area" vote to incorporate into a new  
5 municipality, a charter for a new municipality shall be  
6 drafted as provided in section 6(2).

7 Section 9. The Board of County Commissioners of  
8 Broward County is hereby authorized to set the elections  
9 provided for in this act for the time periods provided in this  
10 act at the cost of Broward County. A mail ballot shall not be  
11 used for any election provided for in this act.

12 Section 10. Upon annexation into any existing  
13 municipality, or becoming a new municipality, the following  
14 shall govern the areas described in section 4.

15 (1) The present land use designation and zoning  
16 provided for under the Broward County Comprehensive Plan and  
17 Code of Ordinances of Broward County shall remain the law  
18 governing the areas provided for in this act. The land use  
19 designations and zoning of Broward County shall be deemed the  
20 conforming laws of the municipality, until further amended by  
21 ordinance.

22 (2) Notwithstanding subsection (1), any use that is  
23 legally in existence at the time that the areas provided for  
24 in this act become a part of any municipality, said use may  
25 not be made a prohibited use by a municipality upon the  
26 property, for as long as the use shall continue, and not be  
27 voluntarily abandoned.

28 Section 11. Subsequent to the effective date of this  
29 act, no annexation by any municipality, nor change of land use  
30 designation nor change of zoning shall be effective in the  
31 "Intracoastal/Beach Area" unless and until the



1 "Intracoastal/Beach Area" has either been incorporated into a  
2 new municipality or annexed into an existing municipality.  
3       Section 12. All public roads and the public  
4 rights-of-way associated therewith, on the Broward County Road  
5 System, lying within the limits of the lands subject to  
6 annexation herein, as described in section 4, are transferred  
7 from Broward County jurisdiction to the jurisdiction of the  
8 annexing municipality or new city. All rights, title,  
9 interests and responsibilities for any transferred roads,  
10 including, but not limited to, the ownership, operation,  
11 maintenance, planning, design and construction of said roads  
12 and to the rights-of-way associated therewith shall transfer  
13 from Broward County jurisdiction and ownership to the  
14 jurisdiction and ownership of the annexing municipality or new  
15 city upon the effective date of this act.

16       Section 13. This act shall take effect upon becoming a  
17 law.

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31