1

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

 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

                              2

 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

                               3

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

4

 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

CODING: Words ~~stricken~~ are deletions; words <u>underlined</u> are additions.

 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,

                                   6

 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

                              7

 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

                              8

CODING: Words ~~stricken~~ are deletions; words <u>underlined</u> are additions.

 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

                                9

CODING: Words ~~stricken~~ are deletions; words <u>underlined</u> are additions.