

CHAMBER ACTION

1 The Committee on Local Government & Veterans' Affairs recommends
2 the following:

3
4 **Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to Broward County; providing for extending
8 the corporate limits of the City of Lauderdale Lakes or
9 the City of Lauderhill; providing for annexation of the
10 unincorporated area known as St. George; providing for an
11 election; providing an effective date of annexation;
12 providing for an interlocal agreement; providing for a
13 continuation of certain regulations; providing for the
14 continuation of certain rights; providing for the transfer
15 of public roads and rights-of-way; providing an effective
16 date.

17
18 WHEREAS, it is the understanding of the Legislature that
19 the St. George Area is not contiguous to the City of Lauderdale
20 Lakes but is a part of the metropolitan Broward County area, and

21 WHEREAS, it is the further understanding of the Legislature
22 that, for purposes related to municipal services, Broward County
23 desires to have all of its unincorporated areas annexed into one

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24 | of the 30 municipalities within Broward County and that the City
 25 | of Lauderdale Lakes is readily accessible to the St. George Area
 26 | for municipal services, NOW, THEREFORE,

27 |
 28 | Be It Enacted by the Legislature of the State of Florida:

29 |
 30 | Section 1. No later than July 1, 2004, the governing
 31 | bodies of the City of Lauderdale Lakes and the City of
 32 | Lauderhill, after having considered the effects of annexation on
 33 | the residents of both the St. George Area, as hereinafter
 34 | described, and the respective municipality, shall inform the
 35 | Broward County Legislative Delegation and the Broward County
 36 | Board of County Commissioners as to their desire to appear on
 37 | the ballot as provided for in this act.

38 | Section 2. If at least one of the municipalities subject
 39 | to annexation under this act informs the Broward County
 40 | Legislative Delegation and the Broward County Board of County
 41 | Commissioners that it desires to appear on the ballot as
 42 | provided for in section 1, the Broward County Board of County
 43 | Commissioners shall schedule an election on November 2, 2004, in
 44 | accordance with the provisions of law relating to elections
 45 | currently in force in Broward County. The subject of such
 46 | election shall be the annexation of the St. George Area. Only
 47 | registered voters residing in the St. George Area as described
 48 | in this act may vote in such election. On the ballot provided
 49 | for in this section shall appear the name of each municipality
 50 | which shall have informed the Broward County Legislative
 51 | Delegation and the Broward County Board of County Commissioners

52 that it desires to appear on the ballot as provided for in
 53 section 1. The voters residing in the St. George Area shall, by
 54 majority vote of the voters participating in the election,
 55 choose one municipality for annexation. In the event only one
 56 municipality shall have informed the Broward County Legislative
 57 Delegation and the Broward County Board of County Commissioners
 58 that it desires to appear on the ballot as provided for in
 59 section 1, the voters residing in the St. George Area shall, by
 60 majority vote of the voters participating in the election,
 61 choose whether to join that municipality on September 15, 2005,
 62 or September 15, 2006. A mail ballot shall not be used in this
 63 election; however, voters may vote by absentee ballot as
 64 provided by law.

65 Section 3. The legal description of the St. George Area is
 66 as follows:

67
 68 That portion of Section 6, Township 50 South, Range 42
 69 East, Broward County, Florida, described as follows:

70
 71 BEGIN at a point of intersection of a line 225 feet
 72 East of and parallel with the West line of said
 73 Section 6 and the Westerly prolongation of the North
 74 right-of-way line of NW 7 Street, as shown by the plat
 75 of ACADEMY AWARD HOMES SECTION 3, as recorded in Plat
 76 Book 45, Page 17, of the Public Records of Broward
 77 County, Florida;

78

79 | thence Easterly and Southeasterly along said North
 80 | right-of-way line and the Easterly prolongation
 81 | thereof to the Northwest corner of lot 3, Block 5, as
 82 | shown by the plat of TROPICANA PARK HOMES, as recorded
 83 | in Plat Book 46, Page 17, Public Records of Broward
 84 | County, Florida;

85 |
 86 | thence East along the North line of said Lot 3 to the
 87 | Northeast corner thereof;

88 |
 89 | thence East to the Northwest corner of Lot 6, Block
 90 | 27, as shown by the plat of NEW BROWARDALE, as
 91 | recorded in Plat Book 47, Page 14, Public Records of
 92 | Broward County, Florida;

93 |
 94 | thence East along the North line of said Lot 6 to the
 95 | Northeast corner thereof being on the West right-of-
 96 | way line of NW 34th Terrace, as shown by said plat of
 97 | NEW BROWARDALE;

98 |
 99 | thence North along the said West right-of-way line to
 100 | the point of curvature of a curve concave to the
 101 | Southeast, having a radius of 85 feet;

102 |
 103 | thence North through East along said curve to the
 104 | point of tangency with the North right-of-way line of
 105 | NW 7th Street, as shown by said plat of NEW BROWARDALE;
 106 |

107 | thence East along the said North right-of-way line and
 108 | the Easterly prolongation thereof to the centerline of
 109 | NW 34th Avenue;

111 | thence East along the North right-of-way line of NW 7th
 112 | Street and the Westerly prolongation thereof, to the
 113 | point of curvature of a curve concave to the
 114 | Northwest, having a radius of 25 feet;

116 | thence East through North along the arc of said curve
 117 | to the point of tangency with the West right-of-way
 118 | line of NW AMENDED PLAT, as recorded in Plat Book 47,
 119 | Page 23, Public Records of Broward County, Florida;

121 | thence East to the Northwest corner of Lot 1, Block
 122 | 32, as shown by the said BROWARDALE 2ND ADDITION
 123 | AMENDED PLAT;

125 | thence East along the North line of said Lot 1 to the
 126 | Northeast corner thereof;

128 | thence Northeasterly to the Northwest corner of Lot
 129 | 16, Block 31, as shown by the said BROWARDALE 2ND
 130 | ADDITION AMENDED PLAT;

132 | thence East along the North line of said Lot 16 to the
 133 | Northeast corner thereof;

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135 | thence East to the Northwest corner of Lot 16, Block
 136 | 30, as shown by said BROWARDALE 2ND ADDITION AMENDED
 137 | PLAT;
 138 |
 139 | thence East along the North line of said Lot 16, Block
 140 | 30 to the Northeast corner thereof;
 141 |
 142 | thence South along the East line of said Lot 16, Block
 143 | 30 to a point of intersection with the North line of
 144 | the Southeast One-Quarter (SE 1/4), of the Southeast
 145 | One-Quarter (SE 1/4), of the Northeast One-Quarter (NE
 146 | 1/4) of said Section 6;
 147 |
 148 | thence East along said North line to the East line of
 149 | said Section 6;
 150 |
 151 | thence Northerly along said East line to the North
 152 | line of said Section 6;
 153 |
 154 | thence West along said North line to the Northeast
 155 | corner of the Northwest One-Quarter (NW 1/4), of the
 156 | Northeast One-Quarter (NE 1/4), of the Northwest One-
 157 | Quarter (NW 1/4), of said Section 6, said point also
 158 | being on the municipal boundary of the City of
 159 | Lauderhill, as established by Ordinance 80 of the City
 160 | of Lauderdale;
 161 |

162 thence continue West along said North line and said
 163 municipal boundary and along the municipal boundary of
 164 the City of Lauderdale, as established by Chapter 65-
 165 1812, Laws of Florida, to a line 302 feet East of and
 166 parallel with the West line of said Section 6, said
 167 point being on the municipal boundary of the City of
 168 Plantation, established by Chapter 68-101, Laws of
 169 Florida;

170
 171 thence continuing along said municipal boundary the
 172 following 4 courses;

173
 174 thence South along said parallel line to the North
 175 right-of-way line of NW 8 Place, as shown by the plat
 176 of PLAZA ESTATES, as recorded in Plat Book 46, Page
 177 45, of the Public Records of Broward County, Florida;

178
 179 thence Westerly along said North right-of-way line for
 180 a distance of 82 feet to a point on a line 220 feet
 181 East of and parallel with the West line of said
 182 Section 6;

183
 184 thence South along said parallel line to the Westerly
 185 prolongation of the North right-of-way line of NW 7
 186 Street, as shown by said plat of ACADEMY AWARD HOMES
 187 SECTION 3;

188

189 thence Easterly, along said Westerly prolongation and
 190 North right-of-way line, to the POINT OF BEGINNING.

191
 192 Section 4. Upon a majority of the registered voters
 193 residing in the St. George Area voting for annexation into the
 194 City of Lauderdale Lakes or the City of Lauderhill, the St.
 195 George Area, as described in section 3, shall be deemed a part
 196 of said municipality on September 15, 2005, pursuant to section
 197 171.062, Florida Statutes, except as provided in this act.

198 Section 5. An interlocal agreement shall be developed
 199 between the governing bodies of Broward County and the annexing
 200 municipality and executed prior to the effective date of the
 201 annexation as provided in section 4. The agreement shall address
 202 infrastructure improvement projects and include a financially
 203 feasible plan for transitioning county services, buildings,
 204 infrastructure, waterways, and employees.

205 Section 6. The Board of County Commissioners of Broward
 206 County is hereby authorized to set the election provided for in
 207 section 2 by general election for the time period provided in
 208 this act at the cost of Broward County. A mail ballot shall not
 209 be used for any election provided for in this act; however,
 210 voters may vote by absentee ballot as provided by law.

211 Section 7. Upon annexation into the municipality, the
 212 following shall govern the areas described in section 3:

213 (1) The present land use designations and zoning districts
 214 provided for under the Broward County Comprehensive Plan and
 215 Code of Ordinances of Broward County shall remain the law

216 governing the St. George Area, notwithstanding the fact that the
 217 St. George Area is now a part of a municipality.

218 (2) Any change of zoning districts or land use
 219 designations may only be accomplished by enactment of the vote
 220 of the majority of the full governing body of the municipality
 221 plus one.

222 (3) Notwithstanding subsections (1) and (2), any use,
 223 building, or structure that is legally in existence at the time
 224 the St. George Area becomes a part of the municipality shall not
 225 be made a prohibited use by the municipality, on the property of
 226 said use, for as long as the use continues and is not
 227 voluntarily abandoned.

228 Section 8. Subsequent to the effective date of this act,
 229 no change in land use designation or zoning shall be effective
 230 within the limits of the lands subject to annexation herein
 231 until the St. George Area has been annexed into the
 232 municipality; and no annexation within the St. George Area by
 233 any municipality shall occur during the time period between the
 234 effective date of this act and the effective date of the
 235 annexation.

236 Section 9. Subsequent to the effective date of the
 237 annexation, any resident in the area to be annexed by this act
 238 into the City of Lauderdale Lakes or the City of Lauderdale
 239 shall be deemed to have met any residency requirements for
 240 candidacy.

241 Section 10. Nothing in this chapter shall be construed to
 242 affect or abrogate the rights of parties to any contracts,
 243 whether the same be between Broward County and a third party or

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244 between nongovernmental entities, which contracts are in effect
245 prior to the effective date of the annexation.

246 Section 11. All public roads, including bridge 864107, and
247 the public rights-of-way associated therewith on the Broward
248 County Road System lying within the limits of the lands subject
249 to annexation herein, as described in section 3, except NW 31
250 Avenue, are transferred from Broward County jurisdiction to the
251 jurisdiction of the annexing municipality. All rights, title,
252 interests, and responsibilities for any transferred roads,
253 including, but not limited to, the ownership, operation,
254 maintenance, planning, design, and construction of said roads
255 and the rights-of-way associated therewith, shall transfer from
256 Broward County jurisdiction and ownership to the jurisdiction
257 and ownership of the annexing municipality upon the effective
258 date of the annexation.

259 Section 12. This act shall take effect upon becoming a
260 law.