

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 Fort Lauderdale or the
9 City of Oakland Park; providing for annexation of the
10 unincorporated area known as Twin Lakes North; providing
11 for an election; providing for an effective date of
12 annexation; providing for an interlocal agreement;
13 providing for a continuation of certain regulations;
14 providing for the transfer of public roads and rights-of-
15 way; providing an effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

18
19 Section 1. No later than July 1, 2004, the governing
20 bodies of the City of Fort Lauderdale and the City of Oakland
21 Park, after having considered the effects of annexation on the
22 residents of both the Twin Lakes North Area, as hereinafter
23 described, and the respective municipality, shall inform the

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24 Broward County Legislative Delegation and the Broward County
 25 Board of County Commissioners of their desire to appear on the
 26 ballot as provided for in this act.

27 Section 2. Twin Lakes North Area legal description.--

28

29 That portion of Section 16, Township 49 South, Range
 30 42 East, Broward County, Florida, described as
 31 follows:

32

33 Begin at the Northwest corner of Lot 7, Block 2 of
 34 Twin Lakes, as recorded in Plat Book 29, Page 23, of
 35 the Public Records of Broward County, Florida, said
 36 point being on the municipal boundary of the City of
 37 Fort Lauderdale, as established by Ordinance No. C-82-
 38 128 of the City of Fort Lauderdale;

39

40 Thence South along the West line of said Lot 7 and
 41 said municipal boundary to the Southwest corner of
 42 said Lot 7;

43

44 Thence Easterly along the South line of Lots 7, 6 and
 45 5 of said Twin Lakes plat and said municipal boundary
 46 to the Southwest corner of Lot 4 of said plat, said
 47 point being on the municipal boundary of the City of
 48 Oakland Park, as established by Chapter 79-519, Laws
 49 of Florida;

50

51 Thence continuing along said municipal boundary the
 52 following 4 courses:

53
 54 Thence Southerly to the Northeast corner of Lot 1,
 55 Block 4 of Stadium Park, as recorded in Plat Book 53,
 56 Page 9, of the Public Records of Broward County,
 57 Florida;

58
 59 Thence Southerly along the East line of Lots 1 thru 8,
 60 Block 4 of said Stadium Park, and the East line of
 61 Lots 18 and 15, Block 3 of said Stadium Park, to the
 62 Southeast corner of said Lot 15;

63
 64 Thence Southwesterly to the Northwest corner of Lot 1,
 65 Block 14 of Twin Lakes, as recorded in Plat Book 29,
 66 Page 23, of the Public Records of Broward County,
 67 Florida;

68
 69 Thence Southerly along the West line of Lots 1 thru 4,
 70 Block 14, and the Southerly projection thereof to the
 71 Northeast corner of Lot 12, Block 21 of said Twin
 72 Lakes, said point being on the municipal boundary of
 73 the City of Oakland Park, as established by Ordinance
 74 No. 0-81-20 of the City of Oakland Park;

75
 76 Thence Westerly, Southerly and Easterly along said Lot
 77 12 and said municipal boundary to the Southeast corner
 78 thereof, said point also being on the municipal

79 | boundary of the City of Oakland Park, as established
 80 | by Chapter 79-519, Laws of Florida;

81 |
 82 | Thence continuing along said municipal boundary the
 83 | following 5 courses:

84 |
 85 | Thence Southerly along the West line of Lots 3 and 4
 86 | of said Block 21 to the Southwest corner of said Lot
 87 | 4;

88 |
 89 | Thence Westerly along the North right of way line of
 90 | N.W. 45 Court to the intersection with the West right
 91 | of way line of N.W. 10 Avenue;

92 |
 93 | Thence Southerly along the West right of way line of
 94 | N.W. 10 Avenue to the Southeast corner of Lot 16,
 95 | Block 24 of said Twin Lakes;

96 |
 97 | Thence Westerly along the North right of way line of
 98 | Prospect Field Road (N.W. 44 Street) to a point of
 99 | intersection with the Northerly extension of the West
 100 | right of way line of that part of N.W. 10 Avenue lying
 101 | South of said Prospect Field Road (N.W. 44 Street);

102 |
 103 | Thence Southwesterly along said Northerly extension to
 104 | a point on the centerline of Prospect Field Road (N.W.
 105 | 44 Street);
 106 |

107 Thence Northwesterly along said centerline to a point
 108 on the West line of the Southwest One-Quarter (SW
 109 1/4), of the Southeast One-Quarter (SE 1/4) of said
 110 Section 16, said point also being on the municipal
 111 boundary of the City of Tamarac, as established by
 112 Ordinance No. 68-4 of the City of Tamarac;

113
 114 Thence Northerly along said West line and along said
 115 municipal boundary to a point on the North line of the
 116 South One-Half (S 1/2) of the Southeast One-Quarter
 117 (SE 1/4) of said Section 16, said point also being on
 118 the municipal boundary of the City of Fort Lauderdale,
 119 as established by Chapter 71-640, Laws of Florida;

120
 121 Thence Easterly along said North line and said
 122 municipal boundary to the Northeast corner of the
 123 Southwest One-Quarter (SW 1/4), of the Southeast One-
 124 Quarter (SE 1/4) of said Section 16;

125
 126 Thence Northerly along the West line of the East One-
 127 Half (E 1/2), of the East One-Half (E 1/2) of said
 128 Section 16 and along said municipal boundary to the
 129 Southwest corner of Lot 7, Block 5 of Twin Lakes, as
 130 recorded in Plat Book 29, Page 23, of the Public
 131 Records of Broward County, Florida, said point also
 132 being on the municipal boundary of the City of Fort
 133 Lauderdale, as established by Ordinance No. C-88-82 of
 134 the City of Fort Lauderdale;

135
136 Thence Easterly along the North line of Lot 6, 5 and
137 3, of said Block 5 also being the South line of Lot 7,
138 8 and 2 of said Block 5 and along said municipal
139 boundary to the Northeast corner of said Lot 3, said
140 point also being on the West right of way line of N.W.
141 11 Avenue as shown on said plat of Twin Lakes;

142
143 Thence Northerly along said West right of way line
144 also being the East line of Lots 2 and 1 of said Block
145 5 and the Northerly projection thereof and along said
146 municipal boundary to a point on the South line of
147 Parcel A of C.T.A. Plat, as recorded in Plat Book 124,
148 Page 33, of the Public Records of Broward County,
149 Florida, said point also being on the municipal
150 boundary of the City of Fort Lauderdale, as
151 established by Ordinance No. C-84-59 of the City of
152 Fort Lauderdale;

153
154 Thence Easterly along said South line and said
155 municipal boundary to the Southerly extension of the
156 West line of Block 1 of Stadium Park, as recorded in
157 Plat Book 53, Page 9, of the Public Records of Broward
158 County, Florida;

159
160 Thence Northerly along said Southerly extension and
161 the West line of said Block 1 and said municipal
162 boundary to the Southwest corner of Lot 13, Block 1 of

163 said Stadium Park, said point also being on the
 164 municipal boundary of the City of Fort Lauderdale, as
 165 established by Chapter 79-459, Laws of Florida;

166
 167 Thence continuing along said municipal boundary the
 168 following 4 courses:

169
 170 Thence Easterly along the South line of Lots 13, 12
 171 and 11 of said Block 1 to the Southeast corner of said
 172 Lot 11;

173
 174 Thence continue Easterly along the South line of the
 175 North 120 feet of Lots 1, 2, 3 and the East 15 feet of
 176 Lot 4, Block 1 of said Twin Lakes, and the Easterly
 177 projection thereof to the West line of Lot 9, Block 2
 178 of said Twin Lakes;

179
 180 Thence Southerly along said West line to the Southwest
 181 corner of said Lot 9;

182
 183 Thence Easterly along the South line of said Lot 9 to
 184 the POINT OF BEGINNING.

185
 186 Section 3. If at least one of the municipalities
 187 referenced in section 1 of this act informs the Broward County
 188 Legislative Delegation and the Broward County Board of County
 189 Commissioners that it desires to appear on the ballot as
 190 provided for in section 1, the Broward County Board of County

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191 Commissioners shall schedule an election on November 2, 2004, in
 192 accordance with the provisions of law relating to elections
 193 currently in force in Broward County. The subject of such
 194 election shall be the annexation of the Twin Lakes North Area.
 195 Only registered voters residing in the Twin Lakes North Area as
 196 described in this act may vote in such election. On the ballot
 197 provided for in this section shall appear the name of each
 198 municipality that informed the Broward County Legislative
 199 Delegation and the Broward County Board of County Commissioners
 200 that it desires to appear on the ballot as provided for in
 201 section 1. The voters residing in the Twin Lakes North Area
 202 shall, by majority vote of the voters participating in the
 203 election, choose one municipality for annexation. In the event
 204 only one municipality informed the Broward County Legislative
 205 Delegation and the Broward County Board of County Commissioners
 206 that it desires to appear on the ballot as provided for in
 207 section 1, the voters residing in the Twin Lakes North Area
 208 shall, by majority vote of the voters participating in the
 209 election, choose whether to join that municipality on September
 210 15, 2005, or September 15, 2006. A mail ballot shall not be used
 211 in this election. However, voters may vote by absentee ballot as
 212 provided by law.

213 Section 4. Upon a majority of the voters participating in
 214 the election as provided in section 3, voting for annexation,
 215 the Twin Lakes North Area described in section 2 shall be deemed
 216 a part of said municipality on September 15, 2005, pursuant to
 217 s. 171.062, Florida Statutes, except as provided for in this
 218 act.

219 Section 5. An interlocal agreement shall be developed
 220 between the governing bodies of Broward County and the annexing
 221 municipality and executed prior to the effective date of the
 222 annexation as provided for in section 4. The agreement shall
 223 address infrastructure improvement projects and include a
 224 financially feasible plan for transitioning county services,
 225 buildings, infrastructure, waterways, and employees.

226 Section 6. The Board of County Commissioners of Broward
 227 County is hereby authorized to set the election provided for in
 228 section 3 by general election for the time period provided in
 229 this act at the cost of Broward County. A mail ballot shall not
 230 be used for any election provided for in this act. However,
 231 voters may vote by absentee ballot as provided by law.

232 Section 7. Upon annexation into a municipality, the
 233 following shall govern the areas described in section 2:

234 (1) The present land use designations and zoning districts
 235 provided for under the Broward County Comprehensive Plan and
 236 Code of Ordinances of Broward County shall remain the law
 237 governing the Twin Lakes North Area, notwithstanding the fact
 238 that the Twin Lakes North Area is now a part of a municipality.

239 (2) Any change of zoning districts or land use
 240 designations may only be accomplished by enactment of the vote
 241 of the majority of the full governing body of the municipality
 242 plus one.

243 (3) Notwithstanding subsections (1) and (2), any use,
 244 building, or structure that is legally in existence at the time
 245 that the Twin Lakes North Area becomes a part of the
 246 municipality, said use shall not be made a prohibited use by the

247 municipality, on the property of said use, for as long as the
 248 use shall continue, and not be voluntarily abandoned.

249 Section 8. Subsequent to the effective date of this act,
 250 no change in land use designation or zoning shall be effective
 251 within the limits of the lands subject to annexation herein
 252 until the Twin Lakes North Area has been annexed into the
 253 municipality; no annexation within the Twin Lakes North Area by
 254 any municipality shall occur during the time period between the
 255 effective date of this act and the effective date of the
 256 annexation.

257 Section 9. Subsequent to the effective date of the
 258 annexation, any resident in the area to be annexed by this act
 259 into the City of Fort Lauderdale or the City of Oakland Park
 260 shall be deemed to have met any residency requirements for
 261 candidacy for any municipal office.

262 Section 10. Nothing in this act shall be construed to
 263 affect or abrogate the rights of parties to any contracts,
 264 whether the same be between Broward County and a third party or
 265 between nongovernmental entities, which contracts are in effect
 266 prior to the effective date of the annexation.

267 Section 11. All public roads and the public rights-of-way
 268 associated therewith, on the Broward County Road System, lying
 269 within the limits of the lands subject to annexation herein, as
 270 described in section 2, are transferred from Broward County
 271 jurisdiction to the jurisdiction of the annexing municipality,
 272 except for that portion of Prospect Road described in section 2.
 273 All rights, title, interests, and responsibilities for any
 274 transferred roads, including, but not limited to, the ownership,

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275 operation, maintenance, planning, design, and construction of
276 said roads, and to the rights-of-way associated therewith, shall
277 transfer from Broward County jurisdiction and ownership to the
278 jurisdiction and ownership of the annexing municipality upon the
279 effective date of the annexation.

280 Section 12. This act shall take effect upon becoming a
281 law.