

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 Pompano Beach or the
9 City of Deerfield Beach; providing for annexation of the
10 unincorporated area known as the Pompano Highlands;
11 providing for an election; providing for an effective date
12 of annexation; providing for interlocal agreement;
13 providing for continuation of certain Broward County
14 regulations; providing for transfer of public roads and
15 rights-of-way; providing an effective date.

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

18
19 Section 1. The legal description of the area referred to
20 in this act as the "Pompano Highlands Area" is as follows:

21
22 A portion of Sections 12 and 13, Township 48 South,
23 Range 42 East; and a portion of Sections 7 and 18,

24 Township 48 South, Range 43 East, Broward County,
 25 Florida, described as follows:
 26
 27 BEGINNING at the intersection of the South right-of-
 28 way line of SE 15 Street (NE 54 Street), being a point
 29 on the municipal boundary of the City of Deerfield
 30 Beach, as established by Chapter 70-647, Laws of
 31 Florida, with the Westerly right-of-way line of
 32 Federal Highway, State Road No.5 (U.S. No. 1), being a
 33 point on the municipal boundary of the City of
 34 Lighthouse Point, as established by Chapter 70-783,
 35 Laws of Florida,
 36
 37 THENCE Southwesterly along said Westerly right-of-way
 38 line, as established by Chapter 70-783 and continuing
 39 Southwesterly along the Westerly right-of-way line of
 40 Federal Highway, State Road No. 5 (U.S. No.1), also
 41 being along the municipal boundary of the City of
 42 Lighthouse Point, as established by Chapter 70-784,
 43 Laws of Florida, to the centerline of NE 36 Street
 44 (Sample Road);
 45
 46 THENCE Westerly along said centerline also being along
 47 the municipal boundary of the City of Pompano Beach,
 48 as established by Chapter 2000-476, Laws of Florida to
 49 the East right-of-way line of the Florida, East Coast
 50 Railway;
 51

52 THENCE Northeasterly along said East right-of-way
 53 line, a portion of which is along the municipal
 54 boundary of the City of Deerfield Beach, as
 55 established by Chapter 99-471, Laws of Florida, to the
 56 South line of Parcel "A", MORGAN PLAT NO. 1, according
 57 to the plat thereof as recorded in Plat Book 110,
 58 Page 42, of the Public Records of Broward County,
 59 Florida;

60
 61 THENCE along the municipal boundary of the City of
 62 Deerfield Beach, as established by Ordinance 1985/24,
 63 City of Deerfield Beach, the following two (2)
 64 courses;

65
 66 THENCE Easterly along the said South line of Parcel
 67 "A" to the East line of said Parcel "A";

68
 69 THENCE Northerly along said East line to the
 70 intersection with the East right-of-way line of NE
 71 13th Way, as shown on said MORGAN PLAT NO. 1;

72
 73 THENCE along the municipal boundary of the City of
 74 Deerfield Beach, as established by Chapter 99-471,
 75 Laws of Florida, the following three (3) courses;

76
 77 THENCE Northerly along the said East right-of-way line
 78 to the North line of Parcel "B" of said MORGAN PLAT
 79 NO. 1;

80
81 THENCE Easterly along said North line to the East line
82 of said Parcel "B";

83
84 THENCE Northerly along the Northerly extension of said
85 East line to the South right-of-way line of SW 15
86 Street (NE 54 Street), as established by aforesaid
87 Chapter 70-647, Laws of Florida;

88
89 THENCE Easterly along said South right-of-way line to
90 the POINT OF BEGINNING.

91
92 Section 2. The Broward County Board of County
93 Commissioners shall schedule an election in accordance with
94 provisions of the law relating to elections currently in force
95 in Broward County on November 2, 2004. The subject of said
96 election shall be the annexation of the Pompano Highlands Area.
97 Only registered voters residing in the Pompano Highlands Area as
98 described in this act may vote in said election. On the ballot
99 provided for in this section shall appear the name of the City
100 of Deerfield Beach and the City of Pompano Beach. Voters
101 residing in the Pompano Highlands Area shall by majority vote of
102 the voters participating in the election choose one municipality
103 for annexation. Mail ballots shall not be used in this election;
104 however, voters may vote by absentee ballots as provided by law.

105 Section 3. Upon a majority of the registered voters
106 residing in the Pompano Highlands Area voting for annexation
107 into the City of Deerfield Beach or the City of Pompano Beach,

108 | the Pompano Highlands Area described in section 1 shall be
 109 | deemed a part of said municipality on September 15, 2005,
 110 | pursuant to s. 171.062, Florida Statutes, except as provided for
 111 | in this act.

112 | Section 4. An interlocal agreement shall be developed
 113 | between the governing bodies of Broward County and the annexing
 114 | municipality and executed prior to the effective date of the
 115 | annexation as provided for in section 3. The agreement shall
 116 | address infrastructure improvement projects and include a
 117 | financially feasible plan for transitioning county services,
 118 | buildings, infrastructure, waterways, and employees.

119 | Section 5. Upon annexation into the municipality, the
 120 | following shall govern the areas described in section 1:

121 | (1) The present land use designations and zoning districts
 122 | provided for under the Broward County Comprehensive Plan and
 123 | Code of Ordinances of Broward County shall remain the law
 124 | governing the Pompano Highlands Area, notwithstanding the fact
 125 | that the Pompano Highlands Area is now a part of a municipality.

126 | (2) Any change of zoning districts or land use
 127 | designations may only be accomplished by enactment of the vote
 128 | of the majority of the full governing body of the municipality
 129 | plus one.

130 | (3) Notwithstanding subsections (1) and (2), any use,
 131 | building, or structure that is legally in existence at the time
 132 | the Pompano Highlands Area becomes a part of the municipality
 133 | shall not be made a prohibited use by the municipality, on the
 134 | property of said use, for as long as the use shall continue, and
 135 | shall not be voluntarily abandoned.

136 Section 6. Subsequent to the effective date of this act,
 137 no change in land use designation or zoning shall be effective
 138 within the limits of the lands subject to annexation herein
 139 until the Pompano Highlands Area has been annexed into the
 140 municipality; no annexation within the Pompano Highlands Area by
 141 any municipality shall occur during the time period between the
 142 effective date of this act and the effective date of the
 143 annexation.

144 Section 7. Any resident in the area to be annexed by this
 145 act into the City of Deerfield Beach or the City of Pompano
 146 Beach shall be deemed to have met any residency requirements for
 147 candidacy for municipal office.

148 Section 8. Nothing in this act shall be construed to
 149 affect or abrogate the rights of parties to any contracts,
 150 whether the same be between Broward County and a third party or
 151 between nongovernmental entities, which contracts are in effect
 152 prior to the effective date of the annexation.

153 Section 9. All public roads and the public rights-of-way
 154 associated therewith on the Broward County Road System, lying
 155 within the limits of the lands subject to annexation herein, as
 156 described in section 1, are transferred from Broward County
 157 jurisdiction to the jurisdiction of the annexing municipality.
 158 All rights, title, interests, and responsibilities for any
 159 transferred roads, including, but not limited to, the ownership,
 160 operation, maintenance, planning, design, and construction of
 161 said roads, and to the rights-of-way associated therewith, shall
 162 transfer from Broward County jurisdiction and ownership to the

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163 | jurisdiction and ownership of the annexing municipality upon the
164 | effective date of the annexation.

165 | Section 10. This act shall take effect upon becoming a
166 | law.