

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

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

18  
19 Section 1. The legal description of the "Rock Island Area"  
20 is as follows:  
21

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22 That portion of Sections 28 and 29, Township 49 South,  
23 Range 42 East, Broward County, Florida, described as  
24 follows:

25  
26 Beginning at a point on the municipal boundary of the  
27 City of Fort Lauderdale, as established by Chapter 69-  
28 1057, Laws of Florida, being the intersection of the  
29 North Right of way line of NW 19 Street with the West  
30 right-of-way line of the Seaboard Coastline Railroad;

31  
32 thence along said municipal boundary of the City of  
33 Fort Lauderdale, the following 7 courses;

34  
35 thence westerly along said North right-of-way line of  
36 NW 19 Street to the Southeast corner of Lot 1, Block 1  
37 of "North West Lauderdale," as recorded in Plat Book  
38 25, Page 25, of the Public Records of Broward County,  
39 Florida;

40  
41 thence Northerly to the Northeast corner of Lot 4 in  
42 said Block 1;

43  
44 thence Westerly to the Northwest corner of said Lot 4;

45  
46 thence Southerly to the Southwest corner of said Lot 1  
47 and the North right-of-way line of NW 19 Street;

48

49 | thence Westerly along said North right-of-way line to  
 50 | the East right-of-way line of NW 31 Avenue;

51 |  
 52 | thence Northerly along said East right-of-way line to  
 53 | the North boundary of the South one-half (S 1/2) of  
 54 | the South one-half (S 1/2) of the Southwest one-  
 55 | quarter (SW 1/4) of said Section 29;

56 |  
 57 | thence Westerly along said North boundary to the West  
 58 | line of said Section 29;

59 |  
 60 | thence along the municipal boundary of the City of  
 61 | Lauderdale Lakes, as established by Ordinance 40, of  
 62 | the City of Lauderdale Lakes, the following three (3)  
 63 | courses:

64 |  
 65 | thence North along said West line to the South line of  
 66 | the Southwest one-quarter (SW 1/4) of the Southwest  
 67 | one-quarter (SW 1/4) of the Northwest one-quarter (NW  
 68 | 1/4) of said Section 29;

69 |  
 70 | thence East along said South line to the Southeast  
 71 | corner of said Southwest one-quarter (SW 1/4) of the  
 72 | Southwest one-quarter (SW 1/4) of the Northwest one-  
 73 | quarter (NW 1/4);

74 |  
 75 | thence North along the East line of said Southwest  
 76 | one-quarter (SW 1/4) of the Southwest one-quarter (SW

77 | 1/4) of the Northwest one-quarter (NW 1/4) to a line  
 78 | 35.00 feet north of and parallel with the South line  
 79 | of the North one-half (N 1/2) of said Section 29, also  
 80 | being a point on the municipal boundary of the City of  
 81 | Oakland Park, as established by Ordinance 477, of the  
 82 | City of Oakland Park;

83 |  
 84 | thence along said municipal boundary of the City of  
 85 | Oakland Park and along said parallel line to a line  
 86 | 100.00 feet west of and parallel with the East line of  
 87 | the West one-half (W 1/2) of the West one-half (W 1/2)  
 88 | of the Southwest one-quarter (SW 1/4) of the Northeast  
 89 | one-quarter (NE 1/4) of said Section 29;

90 |  
 91 | thence along the municipal boundary of the City of  
 92 | Oakland Park, as established by Chapter 79-519, Laws  
 93 | of Florida, the following four (4) courses:

94 |  
 95 | thence South along said parallel line, also being a  
 96 | line 270.00 feet West of the West right-of-way line of  
 97 | NW 26 Avenue, to the South right-of-way line of NW 26  
 98 | Street;

99 |  
 100 | thence Easterly along said South right-of-way line to  
 101 | the East right-of-way line of NW 21 Avenue;

102

103 thence North along said East right-of-way line to the  
 104 South line of the Northwest one-quarter (NW 1/4) of  
 105 said Section 28;

106  
 107 thence East along said South line to the West right-  
 108 of-way line of the Seaboard Coastline Railroad;

109  
 110 thence along the municipal boundary of the City of  
 111 Oakland Park, as established by Chapter 83-476, Laws  
 112 of Florida, and Southwesterly along said West right-  
 113 of-way line to the Point of Beginning.

114  
 115 Section 2. The Broward County Board of County  
 116 Commissioners shall schedule an election in accordance with the  
 117 provisions of the law relating to elections currently in force  
 118 in Broward County on November 2, 2004. The subject of said  
 119 election shall be the annexation of the Rock Island Area. Only  
 120 registered voters residing in the Rock Island Area as described  
 121 in this act may vote in said election. On the ballot provided  
 122 for in this section shall appear the City of Fort Lauderdale.  
 123 The voters residing in the Rock Island Area shall, by majority  
 124 vote of the voters participating in the election, choose whether  
 125 to join that city on September 15, 2005, or September 15, 2006.  
 126 A mail ballot shall not be used in this election. However,  
 127 voters may vote by absentee ballot as provided by law.

128 Section 3. Upon a majority of the registered voters  
 129 residing in the Rock Island Area voting for annexation into the  
 130 City of Fort Lauderdale, the Rock Island Area described in

131 section 1 shall be deemed a part of said municipality on  
 132 September 15, 2005, or September 15, 2006, pursuant to s.  
 133 171.062, Florida Statutes, except as provided for in this act.

134 Section 4. An interlocal agreement shall be developed  
 135 between the governing bodies of Broward County and the annexing  
 136 municipality and executed prior to the effective date of the  
 137 annexation as provided for in section 3. The agreement shall  
 138 address infrastructure improvement projects and include a  
 139 financially feasible plan for transitioning county services,  
 140 buildings, infrastructure, waterways, and employees.

141 Section 5. Upon annexation into a municipality, the  
 142 following shall govern the areas described in section 1:

143 (1) The present land use designations and zoning districts  
 144 provided for under the Broward County Comprehensive Plan and  
 145 Code of Ordinances of Broward County shall remain the law  
 146 governing the Rock Island Area, notwithstanding the fact that  
 147 the Rock Island Area is now a part of a municipality.

148 (2) Any change of zoning districts or land use  
 149 designations may only be accomplished by enactment of the vote  
 150 of the majority of the full governing body of the municipality  
 151 plus one.

152 (3) Notwithstanding subsections (1) and (2), any use,  
 153 building, or structure that is legally in existence at the time  
 154 that the Rock Island Area becomes a part of the municipality  
 155 shall not be made a prohibited use by the municipality, on the  
 156 property of said use, for as long as the use shall continue, and  
 157 not be voluntarily abandoned.

158        Section 6. Subsequent to the effective date of this act,  
 159 no change in land use designation or zoning shall be effective  
 160 within the limits of the lands subject to annexation herein  
 161 until the Rock Island Area has been annexed into the  
 162 municipality; no annexation within the Rock Island Area by any  
 163 municipality shall occur during the time period between the  
 164 effective date of this act and the effective date of the  
 165 annexation.

166        Section 7. Any resident in the area to be annexed by this  
 167 act into the City of Fort Lauderdale shall be deemed to have met  
 168 any residency requirements for candidacy.

169        Section 8. Nothing in this act shall be construed to  
 170 affect or abrogate the rights of parties to any contracts,  
 171 whether the same be between Broward County and a third party or  
 172 between nongovernmental entities, which contracts are in effect  
 173 prior to the effective date of the annexation.

174        Section 9. All public roads and the public rights-of-way  
 175 associated therewith, on the Broward County Road System, lying  
 176 within the limits of the lands subject to annexation herein, as  
 177 described in section 1, are transferred from Broward County  
 178 jurisdiction to the jurisdiction of the annexing municipality,  
 179 except NW 31 Avenue and NW 21 Avenue, lying within the limits of  
 180 the annexation area. All rights, title, interests, and  
 181 responsibilities for any transferred roads, including, but not  
 182 limited to, the ownership, operation, maintenance, planning,  
 183 design, and construction of said roads, and to the rights-of-way  
 184 associated therewith, shall transfer from Broward County  
 185 jurisdiction and ownership to the jurisdiction and ownership of

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186 | the annexing municipality upon the effective date of the  
187 | annexation.

188 |       Section 10. This act shall take effect upon becoming a  
189 | law.