

By Senator Ring

32-04906-09

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1 A bill to be entitled
2 An act relating to the City of Tamarac, Broward
3 County; extending and enlarging the corporate limits
4 of the City of Tamarac to include specified
5 unincorporated lands within such corporate limits;
6 providing for an election; providing for an effective
7 date of annexation; providing for an interlocal
8 agreement; providing for governance of an annexed
9 area; prohibiting land use designation or zoning
10 changes and other annexations prior to subject
11 annexation or defeat of annexation; providing
12 applicability to candidacies for municipal office;
13 providing for preservation of existing contracts;
14 providing for 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. The legal description of the area referred to in
20 this act is as follows:

21
22 Prospect Field Road/N.W. 31st Avenue Annexation
23 Boundary:

24
25 A portion of Sections 8 and 17, Township 49 South,
26 Range 42 East, Broward County, Florida, described as
27 follows: BEGIN at the point of intersection of the
28 North right of way line of Prospect Field Road with a
29 line 264 feet East of and parallel with the West line

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30 of said Section 8, said point being on the municipal
31 boundary of the City of Fort Lauderdale, as
32 established by Chapter 71-640, Laws of Florida; Thence
33 along said municipal boundary the following 3 courses;
34 Thence Easterly, along said North right of way line,
35 to the North line of said Section 17; Thence Easterly,
36 along said North line of Section 17, to the West line
37 of Lot 11 of, LITTLE FARMS, according to the plat
38 thereof, as recorded in Plat Book 27, Page 29 of the
39 Public Records of Broward County, Florida; Thence
40 Southerly, along said West line and the Southerly
41 prolongation thereof, to the centerline of Orange
42 Street as shown on said plat of, LITTLE FARMS, said
43 point being on the municipal boundary of the City of
44 Fort Lauderdale, as established by Ordinance No. C-87-
45 10 of the City of Fort Lauderdale; Thence Southerly,
46 along the West line of Lot 30 of said plat and the
47 Northerly prolongation thereof and said municipal
48 boundary, to a point on the South line of the
49 Northwest One-Quarter (NW 1/4) of the Northwest One-
50 Quarter (NW 1/4) of the Northeast One-Quarter (NE 1/4)
51 of said Section 17, said point being on the municipal
52 boundary of the City of Tamarac, as established by
53 Ordinance No. 0-81-17 of the City of Tamarac. Thence
54 along said municipal boundary of the City of Tamarac
55 the following 3 courses; Thence Westerly, along said
56 South line, to the Southwest corner of the Northeast
57 One-Quarter (NE 1/4) of the Northeast One-Quarter (NE
58 1/4) of the Northwest One-Quarter (NW 1/4) of said

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59 Section 17; Thence Southerly to the Southeast corner
60 of the Southwest One-Quarter (SW 1/4) of the Northeast
61 One-Quarter (NE 1/4) of the Northwest One-Quarter (NW
62 1/4) of said Section 17; Thence Westerly to the
63 Southwest corner of the Southwest One-Quarter (SW 1/4)
64 of the Northeast One-Quarter (NE 1/4) of the Northwest
65 One-Quarter (NW 1/4) of said Section 17, said point
66 being on the municipal boundary of the City of Fort
67 Lauderdale, as established by Ordinance No. C-72-22 of
68 the City of Fort Lauderdale; Thence along said
69 municipal boundary the following 4 courses; Thence
70 Westerly, along the South line of the Northwest One-
71 Quarter (NW 1/4) of the Northwest One-Quarter (NW 1/4)
72 of said Section 17, to the West line of said Section
73 17; Thence Northerly, along said West line, to the
74 South line of the West 264 feet of the North One-Half
75 (N 1/2) of the North One-Half (N 1/2) of the Northwest
76 One-Quarter (NW 1/4) of the Northwest One-Quarter (NW
77 1/4) of said Section 17; Thence Easterly, along said
78 South line, to the Southeast corner thereof;

79
80 Thence Northerly, along the East line thereof, to the
81 POINT OF BEGINNING.
82

83 Section 2. The Broward County Board of County Commissioners
84 shall schedule an election, in accordance with the provisions of
85 law relating to elections currently in force, in Broward County
86 on November 3, 2009. The subject of the election shall be the
87 annexation into the City of Tamarac of the area described in

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88 section 1. Only registered voters residing in the area described
89 in section 1 may vote in the election. Mail ballots shall be
90 used in this election.

91 Section 3. Upon a majority of the registered voters
92 residing in the subject area voting for annexation into the City
93 of Tamarac, the area described in section 1 shall be deemed a
94 part of such municipality on September 15, 2010, pursuant to
95 section 171.062, Florida Statutes, except as provided for in
96 this act.

97 Section 4. An interlocal agreement shall be developed
98 between the governing bodies of Broward County and the City of
99 Tamarac and executed prior to the effective date of the
100 annexation as provided in section 3. The agreement shall address
101 infrastructure improvement projects and include a financially
102 feasible plan for transitioning county services, buildings,
103 infrastructure, waterways, and employees.

104 Section 5. Upon annexation into the City of Tamarac, the
105 area described in section 1 shall be governed as follows:

106 (1) The annexed property shall be governed by the relevant
107 land use and zoning provisions of the City of Tamarac's Code of
108 Ordinances.

109 (2) Any change of zoning districts or land use designations
110 may only be accomplished by enactment of the vote of the
111 majority of the full governing body of the municipality plus
112 one.

113 (3) Any use, building, or structure that is legally in
114 existence at the time of annexation may not be made a prohibited
115 use by the City of Tamarac, on the property of such use, for as
116 long as the use shall continue and not be voluntarily abandoned.

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117 Section 6. After the effective date of this act, no change
118 in land use designation or zoning shall be effective within the
119 limits of the lands subjected to annexation in this act until
120 the subject area has been annexed into the municipality or the
121 date of the election held pursuant to section 2 if the
122 annexation is defeated, and no annexation within the subject
123 area by any municipality shall occur during the time period
124 between the effective date of this act and the effective date of
125 the annexation or the date of the election held pursuant to
126 section 2 if the annexation is defeated.

127 Section 7. After the effective day of the annexation, any
128 resident of the area to be annexed by this act into the City of
129 Tamarac shall be deemed to have met any residency requirements
130 for candidacy for municipal office.

131 Section 8. Nothing in this act shall be construed to affect
132 or abrogate the rights of parties to any contract, whether the
133 contract be between Broward County and a third party or between
134 nongovernmental entities, which contract is in effect prior to
135 the effective date of the annexation.

136 Section 9. All public roads and the public rights-of-way
137 associated therewith, in the Broward County Road System, lying
138 within the limits of the lands subject to annexation in this
139 act, as described in section 1, are transferred from Broward
140 County jurisdiction to the jurisdiction of the annexing
141 municipality. All rights, title, interests, and responsibilities
142 for any transferred roads, including, but not limited to, the
143 ownership, operation, maintenance, planning, design, and
144 construction of such roads and to the rights-of-way associated
145 therewith shall transfer from Broward County jurisdiction and

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146 ownership to the jurisdiction and ownership of the annexing
147 municipality upon the effective date of the annexation.

148 Section 10. This act shall take effect upon becoming a law.