

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

15
 16 Be It Enacted by the Legislature of the State of Florida:

17
 18 Section 1. The legal description of the area referred to
 19 in this act is as follows:

20
 21 Prospect Field Road/N.W. 31st Avenue Annexation
 22 Boundary:

23
 24 A portion of Sections 8 and 17, Township 49 South,
 25 Range 42 East, Broward County, Florida, described as
 26 follows: BEGIN at the point of intersection of the
 27 North right of way line of Prospect Field Road with a
 28 line 264 feet East of and parallel with the West line

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

57 | 1/4) of the Northwest One-Quarter (NW 1/4) of said
 58 | Section 17; Thence Southerly to the Southeast corner
 59 | of the Southwest One-Quarter (SW 1/4) of the Northeast
 60 | One-Quarter (NE 1/4) of the Northwest One-Quarter (NW
 61 | 1/4) of said Section 17; Thence Westerly to the
 62 | Southwest corner of the Southwest One-Quarter (SW 1/4)
 63 | of the Northeast One-Quarter (NE 1/4) of the Northwest
 64 | One-Quarter (NW 1/4) of said Section 17, said point
 65 | being on the municipal boundary of the City of Fort
 66 | Lauderdale, as established by Ordinance No. C-72-22 of
 67 | the City of Fort Lauderdale; Thence along said
 68 | municipal boundary the following 4 courses; Thence
 69 | Westerly, along the South line of the Northwest One-
 70 | Quarter (NW 1/4) of the Northwest One-Quarter (NW 1/4)
 71 | of said Section 17, to the West line of said Section
 72 | 17; Thence Northerly, along said West line, to the
 73 | South line of the West 264 feet of the North One-Half
 74 | (N 1/2) of the North One-Half (N 1/2) of the Northwest
 75 | One-Quarter (NW 1/4) of the Northwest One-Quarter (NW
 76 | 1/4) of said Section 17; Thence Easterly, along said
 77 | South line, to the Southeast corner thereof;

78 |
 79 | Thence Northerly, along the East line thereof, to the
 80 | POINT OF BEGINNING.

81 |
 82 | Section 2. The Broward County Board of County
 83 | Commissioners shall schedule an election, in accordance with the
 84 | provisions of law relating to elections currently in force, in

85 Broward County on November 3, 2009. The subject of the election
86 shall be the annexation into the City of Tamarac of the area
87 described in section 1. Only registered voters residing in the
88 area described in section 1 may vote in the election. Mail
89 ballots shall be used in this election.

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

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

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

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

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

112 (3) Any use, building, or structure that is legally in

CS/HB 775

2009

113 existence at the time of annexation may not be made a prohibited
114 use by the City of Tamarac, on the property of such use, for as
115 long as the use shall continue and not be voluntarily abandoned.

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

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

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

135 Section 9. All public roads and the public rights-of-way
136 associated therewith, in the Broward County Road System, lying
137 within the limits of the lands subject to annexation in this
138 act, as described in section 1, are transferred from Broward
139 County jurisdiction to the jurisdiction of the annexing
140 municipality. All rights, title, interests, and responsibilities

CS/HB 775

2009

141 for any transferred roads, including, but not limited to, the
142 ownership, operation, maintenance, planning, design, and
143 construction of such roads and to the rights-of-way associated
144 therewith shall transfer from Broward County jurisdiction and
145 ownership to the jurisdiction and ownership of the annexing
146 municipality upon the effective date of the annexation.

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