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**DATE:** April 12, 2001

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
LOCAL GOVERNMENT & VETERANS AFFAIRS  
ANALYSIS – LOCAL LEGISLATION**

**BILL #:** HB 907  
**RELATING TO:** Broward Co./Pembroke Park  
**SPONSOR(S):** Representative Ritter  
**TIED BILL(S):** None

**ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:**

- (1) LOCAL GOVERNMENT & VETERANS AFFAIRS (SGC) YEAS 6 NAYS 3
  - (2) STATE ADMINISTRATION (SGC)
  - (3)
  - (4)
  - (5)
- 

I. SUMMARY:

This bill extends the corporate limits of the Town of Pembroke Park.

This bill provides for annexation of unincorporated areas in South Central Broward, Broward County, including the areas of Carver Ranches, Miami Gardens, Utopia, and Lake Forest.

This bill provides for revision of the Town of Pembroke Park Charter.

A referendum is required prior to the implementation of the annexation.

**Pursuant to House Rule 5.6(b), a local bill providing an exemption from general law may not be placed on the Special Order Calendar for expedited consideration. The provisions of House Rule 5.6(b) appear to apply to this bill. (See II.C. “EFFECT OF PROPOSED CHANGES” section.)**

**On April 5, 2001, the Committee on Local Government & Veterans Affairs considered HB 907, and adopted one amendment. The amendment, which is traveling with the bill, is explained in this bill analysis. (See section V. “AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:”.)**

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |                              |                             |   |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u>         | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u>             | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

**Annexation**

*Constitutional/Statutory Provisions*

Section 2(c), article VIII of the State Constitution authorizes the Legislature to annex unincorporated property into a municipality by special act. It also authorizes the Legislature to establish procedures in general law for the annexation of property by local action.

The Legislature established local annexation procedures by general law in 1974, with the enactment of chapter 171, Florida Statutes. Chapter 171, Florida Statutes, named the "Municipal Annexation or Contraction Act," describes the ways that property can be annexed or de-annexed by cities without passage of an act by the Legislature. There are two types of annexations in Florida, voluntary and involuntary. With voluntary annexations, all property owners in the area proposed for annexation formally seek the annexation by petition. For an involuntary annexation to occur, at least a majority of the electors in the area proposed for annexation must vote in favor of the annexation. In addition, for the annexation to be valid under Chapter 171, Florida Statutes, the annexation must take place within the boundaries of a single county.

There is a twofold purpose of the Florida annexation laws: 1) to set forth local annexation/contraction procedures, and 2) to establish prerequisites for achieving the legislative goals of sound urban development, uniform legislative standards, and efficient provision of urban services.

*Statutory Requirements That Must Be Met Before Annexation May Occur*

Before local annexation procedures may begin, the governing body of the annexing municipality must prepare a report containing the city's plans for providing urban services to the proposed area to be annexed. A copy of the report must be filed with the board of county commissioners where the municipality is located. This report must include appropriate maps, timetables, and financing methodologies. It must certify that the area proposed to be annexed is appropriate for annexation because it meets the following standards and requirements:

- The area to be annexed must be an unincorporated area that is contiguous to the boundary of the annexing municipality. This means that a substantial part of the boundary of the area

to be annexed has a common boundary with the municipality. The specified exceptions are where the area is separated from the city's boundary by a publicly owned county park, right-of-way, or body of water.

- The area to be annexed must be reasonably compact.
- No part of the area to be annexed may fall within the boundary of another municipality.
- The majority of the land to be annexed must be developed for urban purposes. Urban purposes are defined as:
  - Having a resident population of at least two persons per acre;
  - If 60 percent of the subdivided lots are one acre or less, having a density of one person (resident) per acre;
  - Having at least 60 percent of the subdivided lots used for urban purposes; or
  - Having at least 60 percent of the total urban residential acreage divided into lots of 5 acres or less.
- Alternatively, if the proposed area is not developed for urban purposes, it can either border at least 60 percent of a developed area, or provide a necessary bridge between two urban areas.

Annexed areas are declared to be subject to taxation (and existing indebtedness) for the current year on the effective date of the annexation, unless the annexation takes place after the municipal governing body levies such tax for that year. In the case of municipal contractions, the city and county must reach agreement on the transfer of indebtedness or property--the amount to be assumed, its fair value, and the manner of transfer and financing.

### *Types of Annexations*

#### Voluntary Annexation

If the property owners of a particular unincorporated area desire annexation into a contiguous municipality, they can initiate voluntary annexation proceedings. The following procedures govern voluntary annexations in every county, except for those counties with charters providing an exclusive method for municipal annexation:

- Submission to the municipal governing body of a petition seeking annexation, signed by all property owners in the area proposed to be annexed.
- Adoption of an ordinance by the governing body of the annexing municipality to annex the property after publication of notice at least once a week for 2 consecutive weeks, setting forth the proposed ordinance in full.

In addition, the annexation must not create enclaves. An enclave is:

- (a) Any unincorporated, improved or developed area that is enclosed within and bounded on all sides by a single municipality; or

(b) Any unincorporated, improved or developed area that is enclosed within and bounded by a single municipality and a natural or manmade obstacle that allows the passage of vehicular traffic to that unincorporated area only through the municipality.

Upon publishing notice of the ordinance, the governing body of the municipality must provide a copy to the board of county commissioners of the county where the municipality is located.

### Involuntary Annexations

A municipality may annex property where the property owners have not petitioned for annexation pursuant to section 171.0413, Florida Statutes. This process is called involuntary annexation. In general, the requirements for an involuntary annexation are:

- The adoption of an annexation ordinance of a "reasonably compact" area by the annexing municipality's governing body.
- Prior to the adoption of an annexation ordinance, the governing body of the municipality must hold at least two advertised public hearings, with the first meeting being held on a weekday at least seven days after the first advertisement and the second meeting being held on a weekday at least five days after the first advertisement. (This new requirement was passed by the 1999 Legislature).
- Submission of the ordinance to a vote of the registered electors of the area proposed to be annexed once the governing body has adopted the ordinance. The registered electors of the annexing municipality may vote on the annexation if the governing body chooses to submit it to a vote. However, this vote is not required.

In 1999, the Florida Legislature removed the requirement of a dual referendum in specific circumstances. Previously, in addition to a vote by the electors in the proposed annexed area, the annexation ordinance was submitted to a separate vote of the registered electors of the annexing municipality if the total area annexed by a municipality during any one calendar year period cumulatively exceeded more than five percent of the total land area of the municipality or cumulatively exceeded more than five percent of the municipal population. The holding of a dual referendum is now at the discretion of the governing body of the annexing municipality. There is no requirement that the electors in the municipality approve an annexation ordinance regardless of the cumulative effect of such annexation.

If there is a majority vote in favor of annexation in the area proposed to be annexed, the area becomes a part of the city. If there is no majority vote, that area cannot be made the subject of another annexation proposal for two years from the date of the referendum.

### *Annexation of Enclaves*

With the passage of chapter 93-206, Laws of Florida, (now found in section 171.046, Florida Statutes), the Legislature recognized that enclaves can create significant problems in planning, growth management, and service delivery. An enclave is (a) any unincorporated, improved or developed area that is enclosed within and bounded on all sides by a single municipality; or (b) any unincorporated, improved or developed area that is enclosed within and bounded by a single municipality and a natural or manmade obstacle that allows the passage of vehicular traffic to that unincorporated area only through the municipality.

In 1993, the Legislature recognized that enclaves can create significant problems in planning, growth management, and service delivery. The intent of the legislation was to make it easier to eliminate enclaves of small land areas. A separate process for annexing enclaves of 10 acres or less was created. Using this process, a municipality may annex an enclave by interlocal agreement with the county having jurisdiction of the enclave. It may also annex an enclave with fewer than 25 registered voters by municipal ordinance, when the annexation is approved in a referendum by at least 60 percent of the voters in the enclave. These procedures do not apply to undeveloped or unimproved real property.

#### *Annexation by Special Act*

Subsection 171.044(4), Florida Statutes, provides that the procedures for voluntary annexation shall be "supplemental to any other procedure provided by general law or special law." There are a number of special annexation laws that exist in Florida, and hence special laws should always be checked prior to beginning annexation procedures. The Legislature may allow municipalities to annex property by passage of a special act and are empowered to waive any and all statutory requirements.

#### *Annexation by Charter*

Also provided in subsection 171.044(4), Florida Statutes, voluntary annexation procedures do not apply to municipalities and counties with charters that provide for an exclusive method of municipal annexation.

#### *Effect of Annexation on an Area*

Immediately upon being annexed, an area becomes subject to all laws, ordinances, and regulations applicable to other city residents. An exception is that *applicable county land use and zoning regulations continue in effect until the annexing municipality adopts a comprehensive plan amendment and rezones the area, pursuant to section 171.062(2), Florida Statutes. Also, the county land use plan, and zoning or subdivision regulations of the unincorporated area remain in effect (after the annexation has been approved) until the annexing municipality adopts a local comprehensive plan amendment to include the new area.* In contractions, excluded territory is immediately subject to laws, ordinances, and regulations in effect in the county.

Affected persons who believe they will suffer material injury because of the failure of the city to comply with annexation or contraction laws as they apply to their property can appeal the annexation ordinance. They may file a petition within 30 days following the passage of the ordinance with the circuit court for the county in which the municipality is located seeking the court's review by certiorari. If the appeal is won, the petitioner is entitled to reasonable costs and attorney's fees.

Finally, any changes in municipal boundaries require revision of the boundary section of the municipality's charter. Such changes must be filed as a charter revision with the Department of State within 30 days of the annexation or contraction.

#### Solid Waste Collection

Florida law provides for continuing any exclusive franchised solid waste collection services that have been in effect for six months or longer. They are to continue to the newly annexed area for either 5 years or for the remainder of the franchise term, whichever is shorter. The municipality may allow the franchisee to continue servicing the area under the present franchise agreements, or

the city may terminate the agreements if the franchisee does not agree to comply with certain statutory provisions relating to the quality of services or the costs of providing such services. In 2000, the Legislature adopted a provision which provides that a solid waste collection contract in effect at least 6 months prior to the annexation, may continue to provide services to the annexed area for 5 years or the remainder of the contract, whichever is shorter. The solid waste collection provider must provide written evidence of the contract duration, excluding any automatic renewals or "ever-green" provisions, within a reasonable time of a written request. This does not apply to single-family residential properties in specified enclaves.

### **Broward County Annexations**

Broward County is located on Florida's South Atlantic coast and consists of nearly 1,200 square miles and a population of approximately 1.3 million residents. Broward County currently contains 31 municipalities, the majority of which achieved their current corporate boundaries through a multitude of annexations.

In 1996, in cooperation with the Broward County Commission, the Broward County Legislative Delegation created the Ad Hoc Committee on Annexation Policy. The delegation charged the committee with the responsibility of developing and recommending policy to the Broward Legislative Delegation regarding the terms under which it would consider future annexations. The committee recommended that annexation of all the remaining unincorporated areas of Broward County should be encouraged to occur by the year 2010 and unincorporated areas remaining after 2010 will be subject to required annexation by the Florida Legislature.

The 1996 Florida Legislature adopted a special act (chapter 96-542, Laws of Florida, as amended by chapter 99-447, Laws of Florida), which exempts Broward County from the general law provision in chapter 171, Florida Statutes. This provision requires a referendum of the electors of an annexing municipality where the total area annexed by a municipality during a calendar year cumulatively exceeds more than 5 percent of the total land area of the municipality or cumulatively exceeds more than 5 percent of the municipal population.

In addition, the special act requires that any annexation of unincorporated property within Broward County proposed to be accomplished pursuant to general law first must be considered at a public hearing conducted by the Broward County Legislative Delegation, pursuant to its adopted rules. The annexation is not effective until the fifteenth day of September following adjournment sine die of the next regular legislative session following the accomplishment of all procedures necessary for annexation.

Annexations may also occur by special act of the Legislature. The Broward County Legislative Delegation sponsors several local bills each year to accomplish some annexations.

### **Town of Pembroke Park**

The Town of Pembroke Park (Town) was originally created in 1959, through Chapter 59-1722, L.O.F. This special act contains the original charter for the Town. The Town currently contains about 5,000 residents. Of the land in the Town's jurisdictional boundaries, 30.68 percent is designated for residential use. According to the 1990 U.S. Census of Population and Housing, the percentage of non-white residents in the Town is 26 percent.

Regarding services, police services in the Town are provided by the Broward County Sheriff's Office through contract. The Town currently provides all fire and EMS services within jurisdictional

boundaries. However, the Town is currently negotiating with Broward County regarding the possibility of yielding fire and EMS services to Broward County's Fire and Rescue Division.

### **Unincorporated Area in South Central Broward**

The areas of Carver Ranches, Miami Gardens, Utopia, and Lake Forest contain a total population of about 15,000 residents. Of the land in these 4 areas, 76.57 percent is designated for residential use. According to the 1990 U.S. Census of Population and Housing, the percentage of non-white residents in the unincorporated areas is 59 percent.

Regarding services, police services in the unincorporated area are provided by the Broward County Sheriff's Office through contract. Currently, fire and EMS services in the unincorporated area are provided by the Broward County Fire Rescue Division.

## **C. EFFECT OF PROPOSED CHANGES:**

### **House Rule 5.6(b)**

**Pursuant to House Rule 5.6(b), a local bill providing an exemption from general law may not be placed on the Special Order Calendar for expedited consideration. The provisions of House Rule 5.6(b) appear to apply to this bill.**

Section 166.021 (4), Florida Statutes, provides, in part, as follows:

However, nothing in this act shall be construed to permit any changes in a special law or municipal charter which affect...an area which includes lands within and without a municipality or any changes in a special law or municipal charter which affect the creation or existence of a municipality, the terms of elected officers and the manner of their election except for the selection of election dates and qualifying periods for candidates and for changes in terms of office necessitated by such changes in election dates, the distribution of powers among elected officers, matters prescribed by the charter relating to appointive boards, any change in the form of government...without approval by referendum of the electors....

Therefore, it appears that this bill creates an exception to general law.

### **Bill Impact**

The language in the bill reflects a departure from the language contained in the current Charter, in the following respects:

- The bill authorizes the creation of a Commission-Manager Government, to include the appointment of a city manager, and provides various procedures relating to the appointment, removal and duties of the city manager;
- The bill provides for staggered terms of service for commissioners;
- The bill limits commissioner service to 2 consecutive terms;
- The bill reduces commissioner residency, in the election district from which they are elected, from at least 6 months, to 1 year and additionally requires the commissioner to be older than 21 years;
- The bill reduces the term of mayor from 4 years to 2 years and provides that a mayor cannot serve for more than 4 consecutive terms;

- The bill lists reasons for disqualifications for the office of mayor, and requires such disqualification, such as in the case of being convicted for a crime involving moral turpitude and absence from meetings;
- This bill provides that the Commission may determine the annual salary of the Commission members by ordinance, and does not include a cap on the amount;
- This bill provides that the Commission is authorized to be the judge of the election and qualification of its members, subject to judicial review;
- This bill contains provisions relating to the positions of city attorney and director of finance;
- This bill requires a civil service system, based on merit retention;
- This bill provides specific details relating to elections;
- This bill provides for the creation of a Charter Review Board and requires appointment by the Commission by April 2004.

Together, the Town of Pembroke Park and the South County unincorporated neighborhoods would create a municipality with a total area of four square miles, in the geographic shape of a rectangle. This municipality would be bordered by the City of Hollywood, the City of Miramar, and Dade County.

**D. SECTION-BY-SECTION ANALYSIS:**

**Section 1.** Provides description of boundaries for South Central Broward, which is comprised of the areas of Carver Ranches, Miami Gardens, Utopia, and Lake Forest.

**Section 2.** Provides for a special election on November 6, 2001 and provides exact language to appear on the ballot.

**Section 3.** Provides that if a majority of voters voting in the unincorporated area within South Central Broward vote for annexation into Pembroke Park as of September 15, 2002, the area described in this act shall be part of the City of Pembroke Park (City) and will be subject to the Charter, with an effective date of September 15, 2002.

**Section 4.** Provides that if voters alternatively vote for annexation in phases, annexation takes place as follows: Carver Ranches, on September 15, 2002, Miami Gardens and Utopia, on September 15, 2003, and Lake Forest, on September 15, 2004.

**Section 5.** Provides the entire text of the Charter of the City of Pembroke Park, to include the following:

- Provides for the continuation and powers of the Town of Pembroke Park (Town);
- Merges the Town of Pembroke Park, and the formerly unincorporated areas of Broward County and establishes them, together, as a body politic and corporate, to be now known as the City of Pembroke Park (City), with a common seal;
- Preserves existing ordinances and resolutions of the Town, until repealed, amended or modified, provided that they do not conflict with this Charter;
- Provides that officers hold respective offices until successors are elected;
- Transfers title of all property from the Town to the City, to include uncollected taxes, dues, claims and judgments;
- Clarifies that all contracts and obligations of the Town remain binding on the City, including bonds issued and outstanding;
- Provides description of boundaries;



- Provides for powers of the City, to include all property, streets, parks, lands, waters, submerged lands, persons, corporations, businesses, within the jurisdictional boundaries of the City, and extraterritorially, when the City owns, leases, or operates such property;
- Grants title of all public property to the City;
- Specifies that the form of government exists as a Commission-Manager Government;
- Contains a liberal construction clause;
- Provides that the fiscal year begins October 1 and ends September 1;
- Provides that the legislative powers of the City are vested in the Commission, and authorizes the Commission with the power to pass ordinances, adopt resolutions, appoint officers and boards, provides that the Commission is composed of five members, including one mayor;
- Requires the Commission to reapportion districts, before December 1, 2002, into four consecutively numbered districts; authorizes subsequent ordinances, to modify boundary lines to conform with the Florida and Federal Constitution;
- Provides that the Commission shall be composed of four commissioners (one per district) and a mayor, serving staggered terms, all elected for no more than two four-year terms;
- Details qualifications and disqualifications of commissioners;
- Provides that the mayor shall preside at Commission meetings and shall be recognized as the head of government for certain purposes, grants voting rights and the right to debate to the mayor, as well as any other member duties and powers;
- Details selection procedure and term of service, qualifications, and disqualifications of mayor;
- Provides that the commission shall elect a vice-mayor to substitute for the mayor when absent or disabled, clarifies that if the mayor is removed, resigned or dies, the vice mayor assumes as interim mayor;
- Provides that the Commission may determine the annual salary of the Commission members by ordinance;
- Specifies oath of office for the mayor and commissioners;
- Provides for the filling of a member vacancy by appointment when no more than six months remain on a term; provides for the filling of other vacancies;
- Clarifies that the Commission is the judge of the election and qualification of its members, and authorizes subpoena and document production powers, with decisions subject to judicial review;
- Requires the Commission to meet at least once a month, except for one month, requires that all official meetings are public, authorizes special meetings;
- Provides for a quorum;
- Details procedures relating to ordinances and resolutions;
- Provides that the city manager is the administrative head of government, and describes duties, clarifies that this position is supervised and subject to removal by the Commission, provides that this position is subject to removal by the Commission, clarifies that the city manager does not have voting rights;
- Provides powers of city manager, including appointing, removing, and fixing salaries of City officers and employees, supervising all departments and divisions, preparing the budget, and purchasing supplies, precludes the Commission from directing the city manager to appoint or remove an employee, authorizes the city manager to designate an assistant, in the event of a temporary, short-term absence, requires the city manager to appoint a city clerk;
- Requires the Commission to appoint and to fix the salary of a city attorney by resolution and to appoint a director of finance by resolution;
- Requires the Commission to implement a City civil service, to incorporate merit retention;
- Requires the selection of a business representative, to be decided by ordinance;

- Provides for municipal elections, to include language addressing qualified electors, nominations, nonpartisan elections, election dates, general elections, runoff elections, special elections, single candidates, prohibition on an individual running for both commissioner and mayor in the same election, absentee voting, canvas of election returns, and advertising for elections;
- Provides for the creation of a Charter Review Board (Board), an impartial and independent advisory board, appointed by the Commission by April 2004, and at least every five years, outlines qualifications of the Board, duties and functions, including to conduct a comprehensive study of all phases of the Charter, excepting district boundaries, requires the Board to submit a report to the Commission within 180 days from the appointment of the Board, and provides that if not received, the Commission may submit referendum amendments to the Charter without input by the Board, provides for organization of the Board, and forfeiture of office by a Board member;
- Provides for elector initiative, to propose ordinances, provides procedure relating to petitions and filing, provides procedure when the number of petition signatures is insufficient, provides for the submission of the proposed measure to the Commission, details the form of the ballot;
- Provides for preservation of mobile home communities, and provides prohibits amendments to the actual zoning map of the T-1 Mobile Home Park Zoning District, unless approved by 99 percent of City voters voting in a special election called for this purpose;
- Authorizes the Commission to appoint advisory boards by resolution, and grants the Commission broad authority to decide the purposes and functions of advisory boards, provides that members of such boards serve uncompensated;
- Authorizes the Commission to grant franchises for a term of up to 15 years, on a renewable basis, requires a public hearing and notice prior to the granting of a franchise;
- Requires the Commission to contract for supplies, materials, and services by competitive bid, unless impractical, as determined by a vote of at least 4 members;
- Authorizes the City to sell, trade, exchange, or otherwise dispose of lands, improvements, or public buildings owned by the City; provides a procedure for such disposal of land or property;
- Authorizes the City to lease land and property to anyone for up to a 5 year term after the lease has been authorized by ordinance; requires a referendum for a lease of greater than 5 years;
- Requires the Commission to select a certified public accountant to conduct an independent annual audit;
- Provides a severability clause.

**Section 6.** Provides that the Charter, as set out above, takes effect on September 15, 2002, unless the majority of voters supports annexation in phases, then the Charter shall additionally reflect the following: that the Commission shall, by ordinance, before December 1, 2002, and December 1, 2004, apportion the City into four consecutively numbered districts, in compliance with both the Florida and Federal Constitutions, with boundary changes modified through subsequent ordinances, the Commission shall consist of 4 commissioners and a mayor, with each commissioner elected by each of the 4 districts, provides that the Commissioners shall be elected for a 2 year term, starting March 2005, or until their successors are elected and qualified, provides for staggered terms, and restricts service as Commissioners to 2 consecutive 4 year terms.

**Section 7.** Provides for a transfer of those associated public roads from Broward County, to the jurisdiction of the annexing municipality.

**Section 8.** Provides that upon annexation into the City, regarding South Central Broward County, the present land use designation contained in the Broward County Comprehensive Plan and Code

of Ordinances shall remain the law governing those areas, any change of designated land use or zoning requires majority vote plus one of the full governing body, and provides that any use, building, or structure that legally exists at the time that the unincorporated lands become a part of the municipality shall not be made a prohibited use, provided that the use is not voluntarily abandoned.

**Section 9.** Provides that after this act takes effect, no annexation by any municipality shall be effective within South Central Broward County.

**Section 10.** Provides that this act preempts all other previous law.

**Section 11.** Repeals the original charter of the Town and all amending acts.

**Section 12.** Provides that this act takes effect only upon majority vote of those qualified electors of the unincorporated area within South Central Broward County, voting in a referendum to be called by the Board of County Commissioners on November 6, 2001; provides that this section takes effect upon becoming a law.

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes  No

IF YES, WHEN?

January 28, 2001

WHERE?

Sun-Sentinel (Broward County)

B. REFERENDUM(S) REQUIRED? Yes  No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached  No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached  No

According to the Economic Impact Statement, the earliest effective date proposed within the bill is Fiscal Year 2002/2003. It is estimated that the cost to provide City-level services within the South County unincorporated neighborhoods for FY 2003 will be \$9,081,000. Anticipated sources of funding include ad valorem tax, sales tax, state revenue sharing, cigarette tax, local option gas tax, franchise fees utility taxes, mobile home license fees, beverage tax, occupational license fees, permit fees, and fire rescue fees. All revenue options currently available to municipalities will be available to the Town after annexation. It is expected that residents and businesses will benefit by receiving City-level services from the Town instead of the County, and that Broward County will reduce responsibility for municipal-level services in order to focus on regional-level services.

IV. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

This bill does not necessitate additional rulemaking authority.

C. OTHER COMMENTS:

The President of the Lake Forest Homeowners' Association indicates that the Association supports this bill.

The Mayor and the Commissioners of the Town of Pembroke Park express opposition to the bill.

A Broward County Commissioner indicates that the County supports this bill.

The President of the Carver Ranches Homeowners' Association expresses support for this bill.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On April 5, 2001, the Committee on Local Government & Veterans Affairs adopted a strike-everything amendment, which provides for technical changes, and incorporates a change recommended by the Joint Legislative Auditing Committee.

VI. SIGNATURES:

COMMITTEE ON LOCAL GOVERNMENT & VETERANS AFFAIRS:

Prepared by:

Staff Director:

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Cindy M. Brown

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Joan Highsmith-Smith