

RESOLUTION NO. 2018-076

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RESPECTFULLY REQUESTING THE BROWARD COUNTY LEGISLATIVE DELEGATION TO ADOPT A LOCAL BILL TO PREVENT A MUNICIPALITY IN BROWARD COUNTY FROM ATTEMPTING TO ANNEX LANDS LOCATED WITHIN ANOTHER MUNICIPALITY WITHOUT THAT MUNICIPALITY'S CONSENT, AND FROM PURCHASING LANDS LOCATED WITHIN ANOTHER MUNICIPALITY WITHOUT THAT MUNICIPALITY'S CONSENT; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO SUBMIT A LOCAL BILL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Broward County is the second most populous county in the State of Florida with 31 municipalities and very little unincorporated lands left for incorporation; and

WHEREAS, the lack of available unincorporated areas has led to attempts by municipalities to expand their tax base through the annexation of lands located in a neighboring municipality; and

WHEREAS, as a result, the Town Council of the Town of Southwest Ranches believes that there is a need to adopt a local bill to prohibit a municipality from annexing lands located within another municipality or purchasing lands located within another municipality without the other municipality's consent;

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1. Recitals. That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution.

Section 2. That the Town Council hereby respectfully requests that the Broward County Legislative Delegation adopt a local bill to prohibit a municipality from annexing lands located within another municipality or purchasing lands located within another municipality without the other municipality's consent.

Section 3. The Mayor, Town Administrator, and Town Attorney are hereby authorized to submit a local bill package to the Broward County Legislative

A bill to be entitled

An act relating to Broward County; requiring consent prior to annexation of land within another municipality's jurisdictional boundaries; requiring consent prior to a municipality's purchase of land within another municipality's jurisdictional boundaries; providing an effective date.

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

Section 1. Legislative Findings: Broward County is the second most populous county in the state with 31 municipalities and very little unincorporated areas left for incorporation. The lack of available unincorporated areas has led to attempts by municipalities to expand their tax base through the annexation of a neighboring municipality's lands. As a result, the legislature finds that there is a need to require consent prior to the annexation of land within another municipality's jurisdictional boundaries; and to require consent prior to a municipality's purchase of land within another municipality's jurisdictional boundaries.

Section 2. A municipality in Broward County may not attempt to annex land within another municipality's jurisdiction, without the other municipality's consent.

Section 3. A municipality may not purchase land within another municipality's jurisdictional boundaries, without the other municipality's consent.

This act shall take effect upon becoming a law.

SAUL EWING
ARNSTEIN
& LEHR ^{LLP}

Keith M. Poliakoff

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September 17, 2018

Andrea C. Knowles
Executive Director
Broward County Legislative Delegation
115 South Andrews Avenue, Room 429
Fort Lauderdale, Florida 33301

Re: Local Bill to prohibit a municipality from annexing lands located within another municipality or purchasing lands located within another municipality without the other municipality's consent.

Dear Ms. Knowles:

The Town of Southwest Ranches (the "Town") is requesting a special act to prohibit a municipality from annexing lands located within another municipality or purchasing lands located within another municipality without the other municipality's consent.

The Town of Southwest Ranches is concerned about maintaining the sanctity of its rural borders from neighboring municipalities who see that Town as a pot of gold for future ad valorem tax revenue. The desire to de-annex and to purchase large segments of the Town has yielded many contentious hearings before the Broward County Legislative Delegation and the Florida Legislature.

Since the Florida Statutes are silent as to this issue, the Town is proposing a local bill.

The Town's local bill is being sponsored by Senator Farmer. Should you have any questions or require additional information, please contact me.

Enclosed please find the initial draft local bill and economic impact statement. Thank you for your assistance in this matter.

Very truly yours,

Keith M. Poliakoff

Enclosures

200 E. Las Olas Blvd. ♦ Suite 1000 ♦ Fort Lauderdale, FL 33301
Phone: (954) 713-7600 ♦ Fax: (954) 713-7700

DELAWARE FLORIDA ILLINOIS MARYLAND MASSACHUSETTS NEW JERSEY NEW YORK PENNSYLVANIA WASHINGTON, DC

A DELAWARE LIMITED LIABILITY PARTNERSHIP

**HOUSE OF REPRESENTATIVES
2018 ECONOMIC IMPACT STATEMENT FORM**

House local bill policy requires that economic impact statements for local bills be prepared at the LOCAL LEVEL. It is the policy of the House of Representatives that no bill will be considered by a council or a committee without an original Economic Impact Statement. This form must be completed whether or not there is an economic impact. Please submit this form to the Committee on Urban & Local Affairs as soon as possible after the bill is filed.

BILL #: _____

SPONSOR(S): _____

RELATING TO: Broward County; requiring consent prior to annexation of land within another governmental entity's jurisdictional boundaries; requiring consent prior to a municipality's purchase of land within another municipality's jurisdictional boundaries

(Indicate Area Affected (City, County or Special District) and Subject)

I. ESTIMATED COST OF ADMINISTRATION, IMPLEMENTATION, AND ENFORCEMENT:

	<u>FY 18-19</u>	<u>FY 19-20</u>
Expenditures:	0.00	0.00

Expenditures:

This assessment will be administered through the process already in existence; no additional costs for administration are anticipated. The cost for a methodology study that will quantify the legally allowable assessment will be borne by each local government. A study of this nature is anticipated to cost each local government approximately \$25,000.

II. ANTICIPATED SOURCE(S) OF FUNDING:

	<u>FY 18-19</u>	<u>FY 19-20</u>
Federal:	0.00	0.00
State:	0.00	0.00
Local:	0.00	0.00

III. ANTICIPATED NEW, INCREASED, OR DECREASED REVENUES:

	<u>FY 18-19</u>	<u>FY 19-20</u>
Revenues:	0.00	0.00

IV. ESTIMATED ECONOMIC IMPACT ON INDIVIDUALS, BUSINESS, OR GOVERNMENTS:

0.00

V. ESTIMATED IMPACT UPON COMPETITION AND THE OPEN MARKET FOR EMPLOYMENT:

0.00

VI. DATA AND METHOD USED IN MAKING ESTIMATES [INCLUDE SOURCE(S) OF DATA]:

N/A

PREPARED BY: _____
Martin Sherwood, CPA, CGMA, CGFO, Date

TITLE: Martin Sherwood, CPA, CGMA, CGFO
Town of Southwest Ranches Financial Administrator
REPRESENTING: Town of Southwest Ranches,
PHONE: 954-434-0008
EMAIL ADDRESS: msherwood@southwestranches.org

Delegation, substantially in the form as that attached hereto as Exhibit "A", and to make any and all changes necessary and proper to effectuate the intent of this Resolution.

Section 4. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest

Ranches, Florida, this 27th day of September 2018 on a motion by

Council Member Breitzkreuz and seconded by Council Member Jablonski.

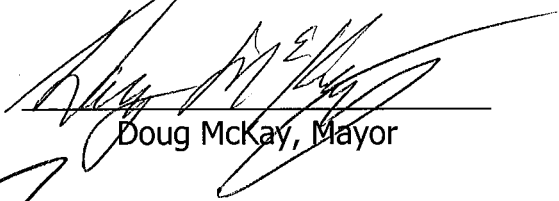
McKay	<u>Yes</u>
Fisikelli	<u>Yes</u>
Breitzkreuz	<u>Yes</u>
Jablonski	<u>Yes</u>
Schroeder	<u>Yes</u>

Ayes	<u>5</u>
Nays	<u>0</u>
Absent	<u>0</u>
Abstaining	<u>0</u>

ATTEST:

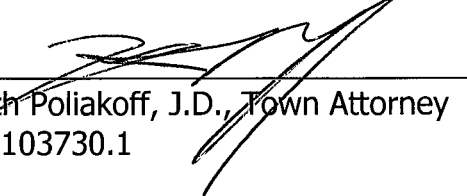


 Russell Muñiz, Assistant Town Administrator/Town Clerk



 Doug McKay, Mayor

Approved as to Form and Correctness:



 Keith Poliakoff, J.D., Town Attorney
 115103730.1