

RESOLUTION NO. 02-28

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DECLARING ITS SUPPORT FOR THE INCORPORATION OF THE GREATER RIVERLAND ROAD AREA INTO THE CITY OF FORT LAUDERDALE AND ITS INTENT TO PRESERVE THE EXISTING CHARACTER, INTEGRITY AND UNIQUE LIFESTYLE OF THE AREA; AND DESCRIBING THE SERVICES TO BE PROVIDED BY THE CITY OF FORT LAUDERDALE TO THE AREA.

WHEREAS, the Legislature of the State of Florida approved a bill ("Bill") providing for the annexation of an unincorporated area, known as the Greater Riverland Road Area; and

WHEREAS, on March 12, 2002, the voters in the area will choose whether to be incorporated into the City of Fort Lauderdale or the City of Dania Beach to take effect on September 15, 2002; and

WHEREAS, the Broward County Legislative Delegation ("Delegation") has approved policies addressing annexation. The first policy states that all unincorporated areas in Broward County are encouraged to be annexed by October 1, 2005; and

WHEREAS, the fourth policy of the Delegation states that the geographic integrity, character, and unique lifestyle of various individual neighborhoods should be preserved through use of municipal charter amendments or Special Act; and

WHEREAS, the sixth policy of the Delegation recommends that both the County and the cities use a variety of incentives and inducements to bring about the willing annexation of an unincorporated area; and

WHEREAS, the eleventh policy of the Delegation states that infrastructure projects should be completed by the County as scheduled in the County's Five Year Capital Improvement Program; and

WHEREAS, Goal I in the Intergovernmental Element of the City of Fort Lauderdale's Comprehensive Plan is as follows: "Provide for and participate in the coordination processes necessary and proper to ensure the delivery of quality municipal services, facilitate sound

development, and maintain positive intergovernmental relationships.";
and

WHEREAS, Objective 6 in the Intergovernmental Element of the City of Fort Lauderdale's Comprehensive Plan is as follows: "Concerning annexation, coordinate all efforts with the County, County Legislative Delegation, affected neighborhood associations and property owners." and Policy 6.2 states: "All annexations, including voluntary, will be processed in conformity with the Broward Legislative Delegation's adopted annexation policies and state statutes."; and

WHEREAS, it is becoming increasingly difficult for the County to provide cost effective public facilities and services to the residents of the Unincorporated Area; and

WHEREAS, the City of Fort Lauderdale recognizes that Broward County must transition from a neighborhood service provider to a regional governmental agency to address regional issues that effect citizens throughout Broward County including City of Fort Lauderdale residents; and

WHEREAS, Section 7 of the Bill states that upon annexation into a municipality, any use, building, or structure that is legally in existence at the time the Riverland area becomes a part of the municipality, such use shall not be made a prohibited use by the municipality, on the property of said use, for as long as the use shall continue and is not voluntarily abandoned; and

WHEREAS, the City of Fort Lauderdale further recognizes that the following issues described in Section 2 of this Resolution are of importance to the citizens of the Greater Riverland Road Area and that the City of Fort Lauderdale recognizes and supports these items described therein;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That each WHEREAS clause set forth above is true and correct and herein incorporated by this reference.

SECTION 2. That the City Commission of the City of Fort Lauderdale hereby expresses its support and declares its intent with regard to the annexation of the Greater Riverland Road Area and the provision of services by the City in that area as follows:

1. Building & Zoning Requirements and Enforcement.

The City Commission supports the unique characteristics of the Greater Riverland Road Area and encourages the Construction Services Division to use the following guidelines to preserve the area's physical makeup:

A. Any use, building, or structure that is legally in existence at the time of annexation shall be considered legal conforming or legal non-conforming subject to the City's Code of Ordinances and shall not be made a prohibited use by the City of Fort Lauderdale, on the property of said use, for as long as the use shall continue and is not voluntarily abandoned.

B. If an existing building or structure does not meet any Broward County or City of Fort Lauderdale zoning code, the City of Fort Lauderdale will work with the Greater Riverland Road Area residents to develop zoning regulations unique to the area for the purpose of proposing an ordinance that would allow the existing buildings or structures to exist in compliance.

C. If in a particular instance a building or structure is the subject of a review by the City's Building Official and there is no current building permit on file regarding the building or structure, the owner may submit to the Building Official a certificate from an appropriate professional engineer or other licensed professional certifying that the building or structure does not pose an imminent threat to life safety and meets the South Florida Building Code. This will allow the building or structure to remain, and not be processed as an unsafe structure while the permit is being obtained.

2. Code Enforcement.

A. The City Commission supports the priorities they established with regard to code enforcement which include the following:

- Unsafe buildings, electrical hazards, sewage backups/overflows, hazardous materials storage, open/abandoned structures, overflowing dumpsters, trash, rubbish, and debris accumulation, overgrown lots, derelict vehicles, building maintenance, property maintenance and derelict vessels.

B. The City Commission supports the Community Inspections Division addressing complaints submitted by the community on a daily basis. The complaints may include commercial vehicles parked in residential areas, illegal businesses in residential areas, excessive noise violations, and commercial car repairs made on residential property, which are all addressed in the City of Fort Lauderdale Code of Ordinances and comprise many of the Division's complaints.

C. The City Commission supports the Community Inspections Division conducting proactive inspections, which are based on the City Commission's priorities and the neighborhoods concerns.

D. The City Commission intends to assign a code enforcement officer, building inspector and occupational license inspector to each area of the City.

E. The City Commission supports the attendance of an inspector, supervisor or both at neighborhood association meetings.

F. The City Commission supports the Community Inspections Division requirement that each inspector make at least one monthly call to the neighborhood association president or their designee.

G. The City Commission supports the Community Inspections Division riding through the neighborhood with members of the neighborhood association to identify the code violations that the association identifies as a priority.

3. Parks & Recreation.

A. The City Commission supports the Parks and Recreation Department working with the Greater Riverland Road Area community to determine the their need for acquiring additional lands to be a part of Broward County's proposed Riverland Woods Park and the need for additional open-space greenways throughout the area.

4. Waterway Maintenance.

A. Dredging.

- i. The City Commission intends to provide maintenance dredging, canal cleaning and debris removal in the Greater Riverland Road Area waterways in accordance with the existing Public Services Sanitation programs.
- ii. The City Commission also intends to maintain publicly owned seawalls and docks in accordance with existing programs.
- iii. The City Commission supports the current standard of the Public Services Department to dredge major navigable waterways (such as the

New River) to a channel depth of approximately 10 feet at mean low tide.

- iv. The City Commission supports the current standard of the Public Services Department to provide maintenance dredging of navigable canals in residential areas on a complaint basis. Currently canals in residential areas are dredged to a depth of four (4) feet minimum at mean low tide. The City will work with the Lauderdale Isles Water Management District to determine if the district would pursue dredging beyond the City standard. Only the center third of the canal is dredged to provide a navigable channel and to protect the integrity of seawalls.

B. Water Management District.

- i. The City of Fort Lauderdale will work with Broward County and the property owners in the Greater Riverland Road Area regarding the Lauderdale Isles Water Management District and the best use of any District funds available.

5. Public Safety.

A. The City Commission intends for the City to provide Fire-Rescue resources to the Greater Riverland Road Area that at present are equivalent to the levels of service provided to all Fort Lauderdale residents as follows:

- i. For Reported Structure Fires:
 - Three (3) Advanced Life Support (ALS) Engine Companies
 - One (1) ALS Rescue Transport Company

- One (1) Quint Aerial Company
- Two (2) Chief Officers
- One (1) Support Truck

ii. For Reported Life-Threatening Medical Emergencies:

- One (1) ALS Engine Company
- One (1) ALS Rescue Transport Company

B. The City Commission intends for the City to provide Fire-Rescue services that at present are equivalent to the levels of service provided to all Fort Lauderdale residents as follows:

- i. To respond to all emergencies from dispatch to first unit arrival in six minutes or less, 90% of the time.
- ii. To respond with the first paramedic unit in eight minutes or less 95% of the time.
- iii. To respond with the first transport unit in ten minutes or less 95% of the time.
- iv. The City Commission supports the Fire-Rescue Department offering public education and training programs to local homeowner associations so that residents are informed and prepared to deal with emergencies. These programs include the Community Emergency Response Team (CERT) program that trains citizens to deal with local emergencies or disasters such as floods, hurricanes and tornadoes. Preparation for hurricanes include issuing UHF radios to CERT trained representatives in areas of the City to facilitate rapid post-storm damage assessment and expeditious recovery.

C. The City Commission supports the Police Department establishing an outstanding relationship with the Greater Riverland Road Area community using the Department's Community Policing philosophy that includes the following activities:

- i. Maintaining open communication with the community and keeping citizens informed about police operations, crime statistics, programs and services through the City's website and various other communication tools.
- ii. Offering a wide range of programs funded by the City or through grants, including:
 - Bicycle Registration, Alarm Reduction, VIN Etching, Shop with Cops, Citizens Police Academy, Citizens on Patrol, Crime Watch, DARE, Haitian Community Partnership Project, Landlord/Tenant Training, and Gang Resistance Education and Training (GREAT).
- iii. Providing the Greater Riverland Road Area community with the Police Department's citywide average response time to emergency calls of just under three (3) minutes from the time dispatched to arrival by the officers.
- iv. Working cooperatively with other City departments and staff members to address citizens' concerns.
- v. Building strong relationships with neighborhoods by working directly with residents and homeowners to address problems

specific to individual areas including the following issues as identified by the Greater Riverland Road Area:

- 1) Truck cut-through on Riverland Road
 - 2) Illegal Drug and Gang activity
- vi. Conducting an assessment of marine traffic and marine law enforcement needs in the Greater Riverland Road Area. The assessment will include the following steps in a Marine Unit Action Plan:
- 1) Conducting a weekday count at the eastern most edge of area. These counts should be conducted during good weather or optimum boating conditions during the morning, afternoon and evening hours. A distinction will be made between east and west bound traffic.
 - 2) Conducting a similar weekend count during peak boating hours.
 - 3) Representatives of the Police Department, including the Marine Unit, will communicate on a regular basis with the Greater Riverland Road Area community members on a formal basis such as a community meeting and an informal basis such as phone calls or contact on the waterway to learn of the community's waterway concerns and to jointly develop approaches and solutions to the issues identified.
 - 4) In addition to the actions described above which the Fort Lauderdale Police Department intends to take in order to enhance the safety of the waterways in the Greater Riverland Road Area, the City of Fort

Lauderdale intends to purchase five new 28' Intrepid vessels to replace one half of the existing fleet.

5) The City of Fort Lauderdale supports the Marine Unit's operation during the week from 7:00 a.m. to 12:00 midnight and until 2:00 a.m. on Friday and Saturday.

6. Public Services.

A. Water.

i. The City Commission intends for the City to provide potable water service to those areas that are currently being serviced by the City of Fort Lauderdale, and upon annexation the City will no longer charge those accounts a 25% surcharge.

ii. The City Commission supports the Public Services Department keeping the Greater Riverland Road Area apprised of issues relating to the Peele Dixie water plant and the Dixie wellfield.

B. Sewer.

i. The City Commission supports the Public Service Department installing sanitary sewers on those isles in the Riverland Road Area which have no sewers. The City will request that Broward County either expand their program to install sewers or assist the City with funding for the sewers in the isles on a basis commensurate with the adjoining Riverland neighborhood. Should the County fail to agree with the proposals as suggested, the remaining isles would be included in the City's ten year Water and

receive the same support from the City Commission to preserve the existing character, integrity and unique lifestyle of such area and to provide the same level of services as described in this Resolution.

SECTION 5. That this Resolution shall become effective upon its adoption.

ADOPTED this the 26th day of February, 2002.

Mayor
JIM NAUGLE

ATTEST:

City Clerk
LUCY MASLIAH

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