



Memorandum

Memorandum No: 21-015

Date: February 23, 2021

To: Honorable Mayor and Commissioners

From: Chris Lagerbloom, ICMA-CM, City Manager 

Re: Lauderdale Isle Water Management District (LIWMD) Charter Amendment for Boundary Revision

The Lauderdale Isle Water Management District (District) is a Dependent Special District established in 1970. The historic core function of the District has been aquatic weed control and water quality improvement. The City annexed the Riverland unincorporated area, including Lauderdale Isles, from Broward County in September 2002. While recently attempting to address a shoreline issue, it was discovered that the southern boundary of the District identified in the Broward County Resolution (2003-483) extends beyond the boundaries of the area annexed into the City.

The District's Establishing Legislation provides the process for modifying the District's boundaries must be initiated by either the City Commission or by petition by one or more landowners.

The attached letter from the District is the request to the City Commission to initiate the boundary modification so the District's and the City boundaries align.

Attachments:

Letter of Request from LIWMD

Map of Lauderdale Isles and LIWMD Boundaries

c: Tarlesha W. Smith, Esq., Assistant City Manager
Greg Chavarria, Assistant City Manager
Alain E. Boileau, City Attorney
Jeffrey A. Modarelli, City Clerk
John C. Herbst, City Auditor
Department Directors
CMO Managers



LAUDERDALE ISLES WATER MANAGEMENT DISTRICT

www.liwmd.org

PO Box 122271
Fort Lauderdale FL 33312

February 5, 2021

City Commission
City of Fort Lauderdale
100 North Andrews Avenue
Fort Lauderdale, FL 33301

Honorable Mayor and Commissioners:

By way of this letter, the Lauderdale Isles Water Management District(LIWMD), a Dependent Special District in the City of Fort Lauderdale, is requesting that the City take appropriate action to modify the southern boundary of the District so that it coincides with the southern boundary of the City. The current southern boundary of the LIWMD extends to the southern bank of the North New River Canal, while the City boundary exists at the centerline of that waterway.

Background

The Lauderdale Isles Water Management District (District) was established as special district in Broward County in November 1970 by Resolution of the Board of County Commissioners of Broward County pursuant to Chapters 61-1969, Laws of the Florida, Special Acts of 1961, as amended by Chapter 63-1168, Laws of the Florida, Special Acts of 1963 as amended by Chapter 65-1337, Laws of the Florida, Special Acts of 1965 (collectively "Establishing Legislation"), for the purpose of maintaining the waterways of the then unincorporated neighborhood of Lauderdale Isles. In accordance with the Special Acts, the District has the authority to exercise all public powers as a public body corporate and politic consistent with the comprehensive water management plan adopted by the County. The Establishing Legislation was subsequently incorporated into the Broward County Code of Ordinances as Chapter 36, "Water Resources and Management".

The City of Fort Lauderdale (City) annexed the Riverland unincorporated area, including Lauderdale Isles, effective September 15, 2002, as the result of an election held on March 12, 2002, pursuant to Chapter 2001-322, Laws of Florida. The Broward County Board of County Commissioners adopted Resolution 2003-483 on July 1, 2003 transferring the district to the jurisdiction of the City of Fort Lauderdale in recognition of the annexation. The resolution acknowledges that the district is a dependent special district pursuant to Section 189.403, Florida Statutes, that the district retained a separate governing board, and provided a legal description of the district's boundaries among other things. As a result of the transfer the City Commissioner for the City of Fort Lauderdale is responsible for approving the District's budget and annual tax assessment and levying the assessment on behalf of the district. The assessment is listed on the TRIM notice sent to the residents in August by Broward County Property Appraiser's Office (BCPA). The County disburses these funds directly to accounts held by the District.

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District Governing Board

The District's Governing Board consists of three persons the City Commissioner for District 4 and two elected members with alternating 4-year terms. Board elections are conducted by the City Clerk's office. The Board represents 551 waterfront residents in Lauderdale Isles

Justification for the Request

It was discovered that LIWMD southern boundary as identified in Broward County Resolution 2003-483 extends beyond the boundaries of the area annexed into the City specifically the District boundary extend to the southern banks of the North New River Canal whereas the municipal boundaries of the City of Fort Lauderdale only extend south to the centerline of the North New River Canal . Assistant City Attorney Bob Dunckel has reviewed the Establishing Legislation and has determined that Section 28 of Chapter 61-1969, (found on page 684) provides the process for modifying the District's boundaries. The process is initiated by either the City Commission or by petition by one or more affected landowners.

At the suggestion of the City Attorney's Office, the LIWMD Board has approved a motion to request that the City initiate the processes and provide a mechanism through the City's Legal Counsel to adjust the LIWMD southern boundary through the LIWMD Special Act Charter so that LIWMD's and the City's southern boundaries are coterminous.

Respectfully Requested,
The Lauderdale Isles Water Management District



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Chairman



Ken Stauch
Secretary/Treasurer



Ben Sorensen
District 4 Commissioner

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Figure 1. Map of the Southern Region of Fort Lauderdale Highlighting Lauderdale Isles. Outlined in the black dashed line, Lauderdale Isles is located in the southwest corner of the City.

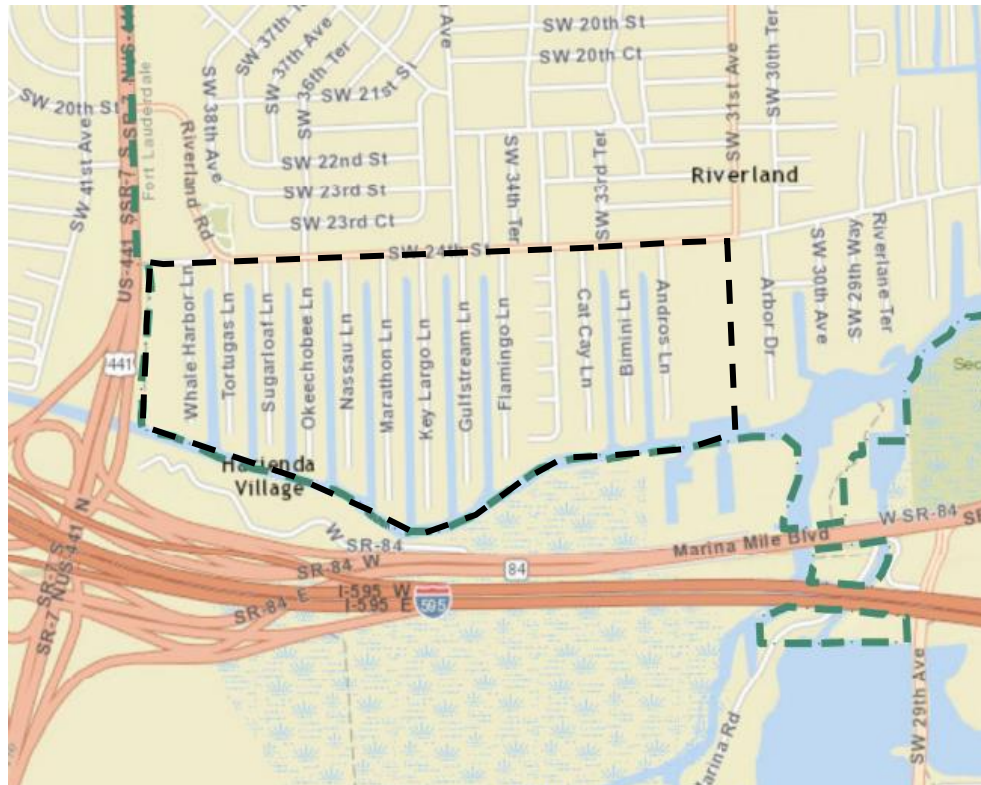


EXHIBIT "A-1"

Commencing at the Northwest corner of Tract "A", Block 12, Lauderdale Isles No. 2 as recorded in Plat Book 37, Page 48 of the Public Records of Broward County, Florida.

Thence Easterly for a distance of 4,389.53 feet along the South right-of-way line of Riverland Road which is 35 feet South of and parallel to the North line of Section 19, Township 50 South, Range 42 East, to the Northeast corner of Lot 1, Block 1, Lauderdale Isles No. 2 as recorded in Plat Book 33, Page 20 of said county.

Thence Southerly along the East boundary of Block 1 extended across the North New River Canal to a point on the South bank of said canal.

Thence meandering Westerly along the South bank of said canal to a point being the Southerly extension of the Western boundary of Lot 22, Block 12 of Lauderdale Isles No. 2.

Thence Northerly across the canal and along the West boundary of Lot 22 to the Northwest corner of said lot.

Thence Easterly to the Southwest corner of Lot 23.

Thence Northerly to the Northwest corner of Lot 34.

Figure 2. - Survey Narrative and Map of the Lauderdale Isles. This is an excerpt from Broward County Resolution 1998-01, which transferred jurisdiction from Broward County to the City of Fort Lauderdale.

