

Town of Lake Clarke Shores

Palm Beach County's Premier Lakeside Community Since 1957

November 24, 2020

Valentin Rodriguez, Jr.
Mayor

Paul R. Shalhoub
Vice Mayor

Robert M. W. Shalhoub
President Pro-Tem

Gregory Freebold
Council Member

Albert Pavon
Council Member

Daniel P. Clark, P.E.
Town Administrator

Mary Pinkerman
Town Clerk

William Smith, III
Chief of Police

Representative David Silvers, Chair
PB County Legislative Delegation
301 North Olive Ave.
West Palm Beach, FL 33401

Honorable Chair Silvers;

The Town of Lake Clarke Shores wishes to introduce, for consideration by the Florida Legislature, a Local Bill extending our Town boundaries to include a neighborhood known as Edgewater Park, which is currently part of unincorporated Palm Beach County.

Article VIII, Section 2(c) of the Florida Constitution provides that municipal annexation of unincorporated territory shall be as provided by general or special law. Because there is no practical statutory procedure to expedite the annexation of near-enclaves, which is what the Edgewater Park neighborhood is to the Town of Lake Clarke Shores, enacting a special law through the introduction of the attached Local Bill draft is the best solution.

Section 171.046, Florida Statutes, recognizes that enclaves of unincorporated territory can create significant problems in planning, growth management, and service delivery, and therefore declares that it is the policy of the state to eliminate enclaves.

Annexation was discussed and the Town Council gave direction to move forward with a Local Bill at our regularly scheduled, duly noticed Town Council meeting, held on October 13, 2020, which was open to the public for comment.

Thank you for your favorable consideration.

Sincerely,

Daniel P. Clark, P.E. Town Manager
Town of Lake Clarke Shores

Attachments (15 copies of each):

Summary Fact Sheet

Local Bill Draft

Economic Impact Statement

Map of Area to be Annexed

Town of Lake Clarke Shores Local Bill

SUMMARY FACT SHEET

2021 Legislative Session

The Town of Lake Clarke Shores is extending its corporate city limits to include a near-enclave neighborhood known as Edgewater Park.

Section 1. Declares the statutory authority and legislative intent for annexation through the passage of a Local Bill.

Explanation - Enclave areas are defined in chapter 171, Florida Statutes, to mean any unincorporated improved or developed area that is enclosed within and bounded on all sides by a single municipality. The Edgewater Park neighborhood is nearly completely enclosed except of the western boundary of Florida Mango Road. Unfortunately, the statute does not address the unique boundary exception in this particular circumstance.

However, the legislative intent in chapter 171, F.S., is very clear; "enclaves of unincorporated territory can create significant problems in planning, growth management, and service delivery, and therefore, it is the policy of the state to eliminate enclaves".

As the Town moves forward with infrastructure plans, as well as general maintenance and municipal service delivery, the near-enclave area of Edgewater Park creates significant problems in the planning and efficient service delivery to the Town.

To expedite the annexation of the near-enclave area into the Town of Lake Clarke Shores, which is the most appropriate incorporated jurisdiction, it is in the best interest of residents and visitors to this state that a special law be enacted for the purpose of eliminating the near-enclave of Edgewater Park by annexation the area into the Town of Lake Clarke Shores.

Section 2. Legal description of the area to be annexed.

Section 3. Effective date will be July 1, 2021

BILL

ORIGINAL

YEAR

1 A bill to be entitled
2 An act relating to Town of Lake Clarke Shores, Palm
3 Beach County; amending chapter 57-1478, Laws of
4 Florida, as amended; extending the corporate limits of
5 the town to include portions of Edgewater Park and
6 adjoining canals; providing an effective date.

7
8 WHEREAS, Article VIII, Section 2(c) of the Florida
9 Constitution provides that municipal annexation of
10 unincorporated territory shall be as provided by general or
11 special law, and

12 WHEREAS, in Section 171.046, Florida Statutes, the
13 Legislature recognized that enclaves of unincorporated territory
14 can create significant problems in planning, growth management,
15 and service delivery, and therefore declared that it is the
16 policy of the state to eliminate enclaves, and

17 WHEREAS, Section 171.031(13), Florida Statutes, defines an
18 "enclave" to mean any unincorporated improved or developed area
19 that is enclosed within and bounded on all sides by a single
20 municipality, or any unincorporated improved or developed area
21 that is enclosed within and bounded by a single municipality and
22 a natural or manmade obstacle that allows the passage of
23 vehicular traffic to that unincorporated area only through the
24 municipality, and

25 WHEREAS, the Legislature finds that a certain portion of
26 Edgewater Park and adjoining canals, lying contiguous and

BILL

ORIGINAL

YEAR

53 Florida; thence southerly, along the North-South one-
 54 quarter line of said Section 8, a distance of 1110.22 feet
 55 to the point of beginning, said point being the
 56 intersection of the center line of Carambola Road and
 57 Florida Mango ~~Fla-Mango~~ Road, as shown on the plat of
 58 Florida Mango ~~Fla-Mango~~ Grovelets as recorded in Plat Book
 59 21, Page 88, according to the records in and for Palm Beach
 60 County, Florida; thence easterly, along the center line of
 61 Carambola Road, as shown on said plat and the extension
 62 thereof, to the westerly right of way line of Seaboard Air
 63 Line Railroad Company; thence Southerly, along the said
 64 westerly right of way line of the Seaboard Air Line
 65 Railroad Company, to the intersection thereof with the
 66 center line of Lake Worth Drainage District's Canal No. E-
 67 4; thence southwesterly and southerly, along the said
 68 center line of Lake Worth Drainage District's Canal No. E-
 69 4, to the intersection thereof with the south line of
 70 Section 17, Township 44 South, Range 43 East; thence west,
 71 along the south line of said Section 17, to the southwest
 72 corner of Government Lot 4 of said Section 17; thence
 73 northerly, along the west line of Government Lots 4 and 3
 74 of said Section 17, to the northwest corner of said
 75 Government Lot 3 of Section 17, Township 44 South, Range 43
 76 East; thence westerly, along the east and west quarter
 77 section line of said Section 17, it being also the center
 78 line of Lake Worth Drainage District Lateral Canal No. 9,

BILL

ORIGINAL

YEAR

Edgewater Park and adjoining canals particularly described as follows:

THAT PORTION OF THE PLAT OF EDGEWATER PARK AS RECORDED IN PLAT BOOK 25, PAGE 236, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA LYING EASTERLY OF FLORIDA MANGO ROAD TOGETHER WITH A PORTION OF THE L.W.D.D. CANAL NO. L-9, AND A PORTION OF THAT CERTAIN 75.00 FOOT WIDE CANAL RIGHT-OF-WAY LYING EASTERLY OF AND ADJACENT TO SAID PLAT OF EDGEWATER PARK, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 17, TOWNSHIP 44 SOUTH, RANGE 43 EAST; THENCE N00°31'00"W (ALL BEARINGS HEREIN ARE RELATIVE TO THE BEARING BASE OF THE PLAT OF EDGEWATER PARK) ALONG THE NORTH/SOUTH QUARTER SECTION LINE OF SAID SECTION 17, ALSO BEING THE CENTERLINE OF FLORIDA MANGO ROAD (80.00 FEET WIDE); A DISTANCE OF 2705.55 FEET; THENCE LEAVING SAID CENTERLINE OF FLORIDA MANGO ROAD, DUE EAST, A DISTANCE OF 40.00 FEET TO AN INTERSECTING POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID FLORIDA MANGO ROAD AND THE CENTERLINE OF SAID L.W.D.D. CANAL L-9, AND THE POINT OF BEGINNING.

**HOUSE OF REPRESENTATIVES
2021 ECONOMIC IMPACT STATEMENT FORM**

Read all instructions carefully.

House local bill policy requires that no local bill will be considered by a committee or a subcommittee without an Economic Impact Statement. This form must be prepared by an individual who is qualified to establish fiscal data and impacts and has personal knowledge of the information given (for example, a chief financial officer of a particular local government). Please file this completed, original form with the Clerk of the House as soon as possible after a bill is filed. Additional pages may be attached as necessary.

BILL #:	
SPONSOR(S):	Representative David Silvers
RELATING TO:	Town of Lake Clarke Shores

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

☐ Check if this is a revised Economic Impact Statement

I. REVENUES:

These figures are new revenues that would not exist but for the passage of the bill. The term "revenue" contemplates, but is not limited to, taxes, fees and special assessments. For example, license plate fees may be a revenue source. If the bill will add or remove property or individuals from the tax base, include this information as well.

	FY 21-22	FY 22-23
Revenue decrease due to bill:	\$ -0-	\$ -0-
Revenue increase due to bill:	\$ -0-	\$ 118,000

II. COST:

Include all costs, both direct and indirect, including start-up costs. If the bill repeals the existence of a certain entity, state the related costs, such as satisfying liabilities and distributing assets.

Expenditures for Implementation, Administration and Enforcement:

FY 21-22	FY 22-23
\$ 10,000	\$ 60,000

Please include explanations and calculations regarding how each dollar figure was determined in reaching total cost.

Advertising and notification costs associated with bringing approximately 100 new properties onto the Town's tax roll.
Town services to the new properties for police, code enforcement, road maintenance, etc, on an annual basis.

1. Disadvantages to Individuals: Of the approximate 1600 residences impacted, 101 residences may experience an increase in taxes to cover the cost of services they are not currently receiving from the County.

2. Disadvantages to Businesses: N/A

3. Disadvantages to Government: NONE

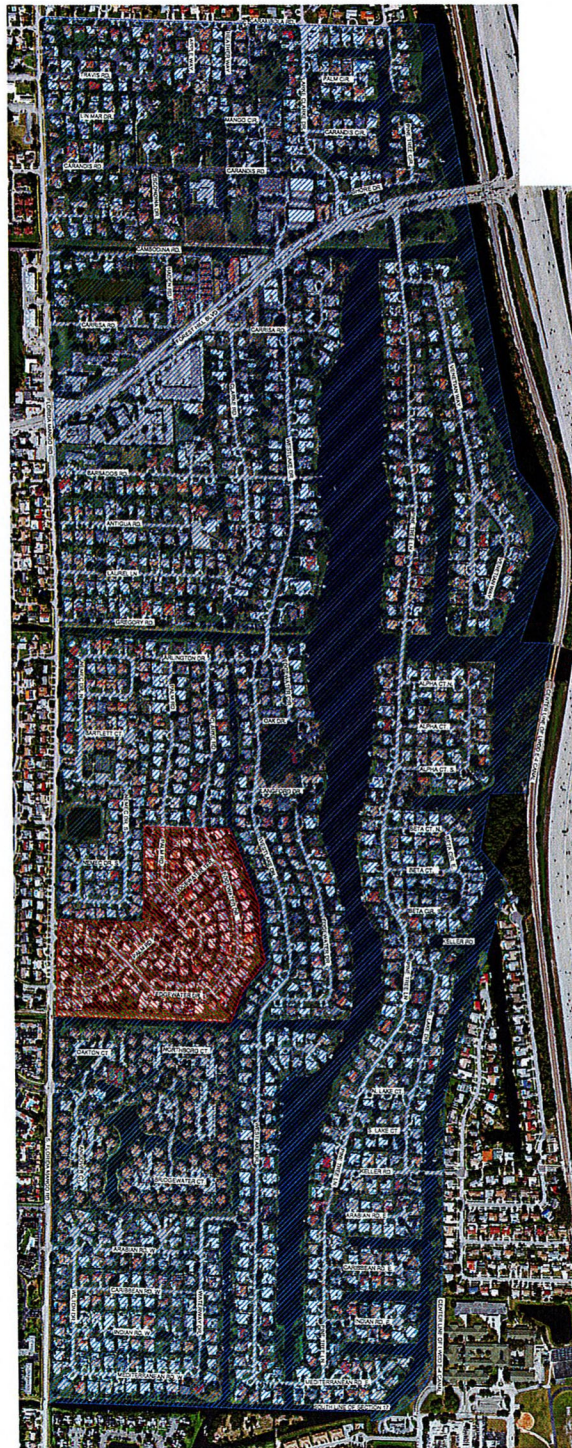
V. DESCRIBE THE POTENTIAL IMPACT OF THE BILL ON PRESENT GOVERNMENTAL SERVICES:

There will be a net positive impact to both county and municipal governments. The county will save money by reducing their obligation to approximately 100 households. The municipality will finally be fairly and accurately compensated for the services they have been providing to the unincorporated area which is a near-enclave area in the middle of the Town.

VI. SPECIFIC DATA USED IN REACHING ESTIMATES:

Include the type(s) and source(s) of data used, percentages, dollar figures, all assumptions made, history of the industry/issue affected by the bill, and any audits.

Data was gathered from current Town budgets for specific municipal services. There are approximately 1,500 existing properties in the Town of Lake Clarke Shores. Upon passage of the proposed local bill, 100 new properties will be added. The additional costs were calculated on a pro rata share basis when possible.



GRAPHIC SCALE
0 400' 800'
SCALE: 1" = 400'

TOWN OF LAKE CLARKE SHORES
ANNEXED PARCEL

92042.112	DATE	12/01/2020
	SCALE	1" = 400'
	CAD FILE	
	SW PROJECT	
1	DRAWN	ABB
1	CHECKED	GRAHAM



EXHIBIT FOR:

TOWN OF LAKE CLARKE SHORES ANNEXATION EXHIBIT

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REVISIONS		
NO	DATE	REMARKS