A bill to be entitled

An act relating to the Downtown Development Authority of the City of Fort Lauderdale, Broward County; amending chapter 2005-346, Laws of Florida; revising definitions; adding certain residential property to the boundaries of the authority; revising procedures for final adoption of budget and millage; extending the expiration date of the act; requiring a referendum; providing an effective date.

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

Section 1. Subsection (5) of section 1 of section 3 of chapter 2005-346, Laws of Florida, is amended to read:

Section 1. Definitions.—As used in this act, the following terms shall have the meaning ascribed to them in this section unless the context shall clearly requires otherwise:

- (5) (a) "Downtown" means the lands described in section 2, specifically excluding each residential unit for which a homestead exemption is in effect as of January 1 of the applicable year not being used as a residence.
- (b) "Not being used as a residence" means all residential lands not being used as a residence or that portion of nonresidential lands not being used as a residence. The determination of when land is being used as a residence shall be made and certified by the Executive Director of the Downtown

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27	Development Authority at the time the books close for a Downtown
28	Development Authority election or, if the Downtown Development
29	Authority does not hold an election in a particular year, as of
30	January 1 of that year.
31	(b) (c) "Residence" means a building or unit in which one
32	or more natural persons live.
33	(d) "Residential" means lands zoned by the City of Fort
34	Lauderdale as R-1-A, R-1, R-1-P, R-2-A, R-2, R-3-A/RM-25, R-3-9,
35	RM-15, R-3/RM-30, R-3-C, R-4/RM-60, or R-4-C.
36	Section 2. Section 2 of section 3 of chapter 2005-346,
37	Laws of Florida, is amended to read:
38	Section 2. The boundaries of the authority shall include
39	the following lands in the City of Fort Lauderdale, Broward
40	County:
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42	1. All lands not being used as a residence lying
43	north of New River, east of Southwest and Northwest
44	Fourth Avenue, south of Northwest and Northeast Second
45	Street and west of Northeast and Southeast Sixth
46	Avenue;
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48	2. All lands not being used as a residence lying

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north of Northwest Second Street, east of the Florida

East Coast Railroad, south of Northwest Fourth Street,

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and west of North Andrews Avenue;

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53 All lands not being used as a residence lying within one hundred fifty feet of and being in common 54 55 ownership with any of said boundary streets and 56 avenues (excluding, however, all lands lying east of 57 Southeast Sixth Avenue); 58 All lands not being used as a residence lying 59 60 south of Northeast Fourth Street and within one hundred fifty feet of and being in common ownership 61 with Northeast Third Avenue and Northeast Sixth 62 63 Avenue. For the purposes of definition, the words, "common ownership" contained herein shall be 64 65 "contiguous to and owned by the same entity; and 66 67 All lands not being used as a residence lying north of Northeast Second Street, east of Northeast 68 69 Second Avenue, south of Northeast Sixth Street, and 70 west of Federal Highway, together with all lands not 71 being used as a residence lying north of Southeast 72 Seventh Street, east of the F.E.C. Railroad Tracks, 73 south of Southeast Sixth Court, and west of Federal 74 Highway, as legally described as follows:

PARCEL I

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All of Blocks 1, 2, 4, 29 and 30, and portions of Blocks 33 and 34, NORTH LAUDERDALE AMENDED, according to the plat thereof recorded in Plat Book 1, Page 182, of the public records of Dade County, Florida; TOGETHER WITH all of the Blocks 2, 31, and 32, NORTH LAUDERDALE AMENDED RE-SUB, according to the plat thereof recorded in Plat Book 5, Page 25, of the public records of Broward County, Florida; ALSO TOGETHER WITH portions of Blocks A and B, GEORGE M. PHIPPENS SUB., according to the plat thereof recorded in Plat Book B, Page 146, of the public records of Dade County, Florida; ALSO TOGETHER WITH portions of Blocks A and B, FORT LAUDERDALE LAND AND DEVELOPMENT CO., SUB., according to the plat thereof recorded in Plat Book 1, Page 56, of the public records of Dade County, Florida; AND ALSO TOGETHER WITH portions of Northeast 3rd Street, Northeast 4th Street, Northeast 5th Street, Northeast 5th Avenue, and Northeast 5th Terrace, lying adjacent to said Blocks, and being all more fully described as follows:

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Beginning at the Northwest corner of Lot 26, of said Block 4, thence due South, on the West lines of said Blocks 4 and 29, and extensions thereof, a distance of 1300.00 feet; thence due East, on the North right-ofway line of said Northeast 4th Street, a distance

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83.99 feet; thence due South, a distance of 50.00 feet; thence due East, on the South right-of way line of said Northeast 4th Street, a distance of 392 feet; thence South 00°01'00" West, on the West lines of Lots 20 and 19, Block A, and the West line of Lot 20, Block B, of said GEORGE M. PHIPPENS SUB., and extensions thereof, a distance of 495.00 feet; thence South 89°57'46" East, on the South lines of Lots 20, 18, 16, 14, 12, 10, 8, 6, 4, and 2, Block B, of said GEORGE M. PHIPPENS SUB., and the Easterly extension thereof, a distance of 720.17 feet; thence North 00°01'54" West, on the Southerly extension of the East line of Lot 20, Block A, of said FORT LAUDERDALE LAND AND DEVELOPMENT CO., SUB. and the Northerly extension thereof, a distance of 205.47 feet, thence due West, on the North right-of-way line of said Northeast 3rd Street, a distance of 25.00 feet; thence North 00°01'00" East, on the East lines of Lots 7 and 20, Block B, of said FORT LAUDERDALE LAND AND DEVELOPMENT CO. SUB., and extensions thereof, a distance of 289.15 feet; thence due East, on the South right-of-way line of Northeast 4th Street, a distance of 169.75 feet; thence North 00°17'27" East, on the West right-of way line of U.S. Highway No. 1; a distance of 1323.87 feet to the Point of Beginning less the following described land: Lots 20, 21, 22, 23, 24, 25 and 26, Block "B", FORT

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130 LAUDERDALE LAND AND DEVELOPMENT CO. Subdivision of 131 Lots 1 and 2, Block 1, Fort Lauderdale, according to 132 the plat thereof, recorded in Plat Book 1, Page 56, of 133 the public records of Dade County, Florida, and Lots 2 and 4, Block "A", GEORGE M. PHIPPEN'S SUBDIVISION of 134 135 Lots 3, 4, 5 and 6, Block 1, and Lots 3, 4, 5, 6, 7, 8, 9 and 10, Block 14, TOWN OF FORT LAUDERDALE, 136 137 according to the plat thereof, recorded in Plat Book B, Page 146, of the public records of Dade County, 138 139 Florida.

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Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21, HARCOURT, according to the plat thereof, as recorded in Plat Book 2, Page 9, of the public records of Broward County, Florida; AND the west one-half (W 1/2) of Federal Highway (US No. 1), lying East of and adjacent to said Lots 4, 5, 6, 7, 9, 9, 10, 11 and 12; AND the East one-half (E 1/2) of S.E. 5th Terrace, lying West of and adjacent to said Lots 14, 15, 16, 17, 18, 19, 20 and 21.

PARCEL II

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TOGETHER WITH:

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155 Lots 4, 5, 6, 7, 8, 9, 10, 11 and 12, HENRY 156 SHACKELFORD AMENDED PLAT SUBDIVISION OF LOTS 2 & 3, 157 BLOCK 57, TOWN OF FORT LAUDERDALE, according to the 158 plat thereof, as recorded in Plat Book 3, Page 3, of 159 the public records of Dade County, Florida; AND the 160 West one-half of S.E. 5th Terrace, lying East of 161 adjacent to and referenced Lots; AND the East one-half 162 of S.E. 5th Avenue, lying West of adjacent of above referenced Lots. 163 164 165 TOGETHER WITH: 166 167 Lots 4, 5, 6, 7, 8, 9, 10, 11 and 12, RE-AMENDED PLAT 168 OF HENRY SHACKELFORD'S SUBDIVISION OF LOTS 2 & 3, 169 BLOCK 57, TOWN OF FORT LAUDERDALE, according to the 170 plat thereof, as recorded in Plat Book 3, Page 3 of 171 the public records of Dade County, Florida; AND the 172 West one-half of S.E. 5th Avenue, lying East of 173 adjacent to and referenced Lots; AND the East one-half 174 of S.E. 4th Avenue, lying West of adjacent to the 175 above referenced Lots. 176 177 AND ALSO TOGETHER WITH: 178 Lots 2, 3, 4, 5, 6, 7, 8 and 9, MRS. DAISY 179

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SHACKELFORD'S AMENDED NEW SUBDIVISION OF LOT 4, BLOCK

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57, TOWN OF FORT LAUDERDALE, according to the plat 181 182 thereof, as recorded in Plat Book 1, Page 165, of the 183 public records of Dade County, Florida, AND 10.00 foot 184 Alley adjacent to said Lot 6 and Lots 7, 8 & 9; AND 185 the West one-half of (W 1/2) of S.E. 4th Avenue, lying 186 East of and adjacent to above referenced Lots. 187 188 AND ALSO TOGETHER WITH: 189

Lots 5, 6, 7, 8, 9, 10, 11 and 12, SOUTH FLORIDA

DREDGING COMPANY DIVISION OF LOT 5, BLOCK 57, TOWN OF

FORT LAUDERDALE, according to the plat thereof, as

recorded in Plat Book 3, Page 27, of the public

records of Broward County, Florida; AND 10.00 foot

Alley adjacent to Lot 9 and Lots 10, 11 and 12; AND

5.50 foot Alley lying East of and adjacent to above

referenced Lots; AND the East one-half (E1/2) of S.E.

3rd Avenue, lying West of and adjacent to said Lots.

AND ALSO TOGETHER WITH:

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The South 80.00 feet of Lots 2, 4 and 6, Block 3, all of Blocks 4, 5 and 6, SUBDIVISION OF BLOCK 56, TOWN OF FORT LAUDERDALE, according to the plat thereof, as recorded in Plat Book 1, Page 63, of the public records of Dade County, Florida; AND the West one-half

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(W1/2) of S.E. 3rd Avenue, lying East of and adjacent to above referenced South 80.00 feet of Lot 2 and said Block 6; AND the East one-half (E 1/2) of S.E. 1st Avenue, lying West of and adjacent to above referenced Block 4; AND the North one-half (N1/2) of S.E. 6th Court, lying South of and adjacent to said Lots 2, 4 and 6, Block 3; AND the South one-half of S.E. 6th Court, lying North of and adjacent to said Blocks 4, 5 and 6.

AND ALSO TOGETHER WITH:

Lots 17, 18, 19, 20 and 21, Block 55, TOWN OF FORT
LAUDERDALE, according to the plat thereof, as recorded
in Plat Book "B", Page 40, of the public records of
Dade County, Florida, AND Parcel "A"; AND the East
one-half of Andrews Avenue, lying West of and adjacent
to said Parcel "A"; AND all that certain 14.00 foot
Alley within said Block 55, lying North and East of
said Parcel "A"; AND all that certain irregular Alley,
lying North of said Parcel "A" and South of said Lot
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AND ALSO TOGETHER WITH;

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Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21, Block 54, TOWN OF FORT LAUDERDALE, according to the plat thereof, as recorded in Plat Book "B", Page 40, of the public records of Dade County, Florida; AND the West one-half (W1/2) of Andrews Avenue, lying East of and adjacent to said Lots 13, 14, 15, 16, 17, 18, 19, 20 and 21; AND the East one-half of S.W. 1st Avenue lying West of and adjacent to said Lots 4, 5, 6, 7, 8, 9, 10, 11 and 12; AND all that certain 14.00 foot Alley in said Block 54, lying adjacent to above referenced Lots.

AND ALSO TOGETHER WITH:

Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and Lot 20, less the North 25.00 feet thereof, Block 53, TOWN OF FORT LAUDERDALE, according to the plat thereof, as recorded in Plat Book "B", Page 40, of the public records of Dade County, Florida; AND the West one-half of (W1/2) of S.W. 1st Avenue, lying East of and adjacent to said Lots 13, 14, 15, 16, 17, 18, 19 and Lot 20, less the North 25.00 feet thereof; AND all of S.W. Flagler Avenue lying West of and adjacent to said Lots 4, 5, 6, 7, 8, 9, 10, 11 and 12; AND the East one-half (E1/2) of the Florida East Coast Railroad Right-of-Way, lying West of said S.W. Flagler

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Avenue and South of the Westerly extension of the North line of said Lot 4 and North of the Westerly extension of the Northerly right of way line of S.W. 7th Street.

Said lands situate, lying and being in the City of Fort Lauderdale, Broward County, Florida, and containing 24.8679 Acres more or less.

6.(a) All lands not being used a residence lying south of New River, east of the Florida East Coast Railroad, north of Southeast Sixth Street and Southwest Sixth Street, and west of Southeast Sixth Avenue.

(b) All lands not being used a residence lying south of Southeast and Southwest Sixth Streets, east of the Florida East Coast Railroad, and west of Southeast Sixth Avenue, which are situated within one hundred fifty feet (150') of and are in contiguous proprietorship with Southeast or Southwest Sixth Street, upon approval of the majority of those voting in a referendum in which those participating are limited to the electors of the downtown (including also the lands added to the downtown by this act) who at the time of the referendum are owners of freeholds

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in the downtown (as hereby expanded), not wholly exempt from taxation, and who are then duly registered for a Downtown Development Authority referendum, according to law. For the purposes of such referendum, the electors who register only as owners of freeholds which are situated within the lands authorized to be added to the downtown by this act may be separately registered and their votes cast in separate ballot boxes or voting machines (as the case may be) and separately tabulated, in case on or more other questions are being voted upon at such referendum, and such separate registrants shall thus be permitted to vote upon such other question or questions. If this law is approved at such referendum, such separately registered electors shall be incorporated into the permanent registration of electors of the Downtown Development Authority and their votes then counted on any other question or questions voted upon at such referendum.

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7. All of lots 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47 and 48, and portions of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 36 and 37, Block 19, BRYAN SUBDIVISION of Blocks 5, 8 and 19, of the Town of Fort Lauderdale, as

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310	recorded in Plat Book 1, Page 18, of the public
311	records of Dade County, Florida, together with
312	portions of those certain 10 foot alleys, lying within
313	said Block 19,
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315	TOGETHER WITH all of Lots 2, 3, 4, 5, 6, 7, 8, 9, and
316	10, AND A PORTION OF Lot 1, Block 18, TOWN OF FORT
317	LAUDERDALE, as recorded in Plat Book 8, Page 40, of
318	the public records of Dade County, Florida, together
319	with that portion of a 14-foot alley lying within said
320	Block 18,
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322	ALSO TOGETHER WITH all of Lots 1 and 2, T.M. BRYAN
323	SUBDIVISION of Lots 11 and 12, Block 18, Town of Fort
324	Lauderdale, as recorded in Plat Book 3, Page 12, of
325	the public records of Dade County, Florida,
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327	ALSO TOGETHER WITH all of Lots 6, 7, 8 and 9, and
328	portions of Lots 1, 2, 3, 4 and 5, Block 1, all of
329	Lots 6, 7, 8, 9, 10 and 11 and portions of Lots 1, 2,
330	3, 4 and 5, Block 2 KELLY'S RESUBDIVISION, as recorded
331	in Plat Book 16, Page 50, of the public records of
332	Broward County, Florida,
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334	ALSO TOGETHER WITH all of Lots 1, 2, 3, 4, 5, 6, 7, 8,
335	9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22,

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336	23, 24, A, B and C, HULDA S. HOLMES SUBDIVISION of
337	Block 23, Fort Lauderdale, as recorded in Plat Book 7
338	Page 26, of the public records of Broward County,
339	Florida,
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341	ALSO TOGETHER WITH Lots 1, 2, 3, and 4, and a portion
342	of Lot 5, Block 24, TOWN OF FORT LAUDERDALE, as
343	recorded in Plat Book 8, Page 40, of the public
344	records of Dade County, Florida,
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346	ALSO TOGETHER WITH all of Lots 1, 2, 3, and 4, F.H.
347	BENTON'S SUBDIVISION in Block 24, Town of Fort
348	Lauderdale, as recorded in Plat Book 3, Page 30, of
349	the public records of Broward County, Florida,
350	together with all that portion of a 10 foot driveway
351	and cul-de-sac of said F. H. BENTON'S SUBDIVISION,
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353	ALSO TOGETHER WITH all of Lots 1 and 2, Canal 2 and
354	Canal 3 and portions of Lots 6, 7, 8, 9, 10, 11 and 1
355	and Canal No. 1, L.H. BRYAN'S SUBDIVISION of Block 32
356	of Fort Lauderdale, Florida, as recorded in Plat Book
357	3, Page 78, of the public records of Dade County,
358	Florida,
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360	AND ALSO TOGETHER WITH portions of S.W. Fifth Avenue,
361	S.W. Sixth Avenue, S.W. Second Street, S.W. Second

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Court, Las Olas Boulevard, N.W. River Drive and North River Street, lying within or adjacent to the above said Blocks and being all more fully described as follows:

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Commencing at the Northwest corner of Lot 24 of said Block 18, TOWN OF FORT LAUDERDALE, thence South 0° 07' 30" East, along the East line of said alley within Block 18, a distance of 15.00 feet to the Point of Beginning; thence continuing South 0° 07' 24" East, along the East line of said alley a distance of 585.04 feet; thence South 89° 59' 02" East, a distance of 40.97 feet, thence South 0° 07' 24" East, along the Northerly extension of the East line of the said F.H. BENTON'S SUBDIVISION, and along the said East line, a distance of 316.49 feet to a point on the existing bulkhead forming the Northerly limits of New River; thence Westerly and Southerly along the said existing bulkhead and extensions thereof, the following 11 courses and distances: thence North 87° 04' 09" West, a distance of 37.36 feet; thence South 86° 43' 52" West, a distance of 13.74 feet, thence South 77° 14' 35" West, a distance of 50.12 feet, thence South 73° 43' 38" West, a distance of 43.15 feet; thence South 54° 27' 01" West a distance of 67.25 feet; thence South 45° 58" 48' East, a distance of 7.62 feet;

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thence South 35° 35' 21" West, a distance of 175.30 feet; thence South 7° 34' 31' West, a distance of 51.26 feet; thence South 2° 01' 02" West, a distance of 25.35 feet, thence South 7° 22' 59" West, a distance of 205.31 feet, thence South 29° 18' 46" West, a distance of 92.94 feet to the Point of Termination of the said 11 courses and distances; thence North 89° 59' 37" West, along the Easterly extension of the South line of Canal No. 3 of L.H. BRYAN'S SUBDIVISION and along the said South line and extensions thereof, a distance of 211.49 feet to a point on the Easterly right-of-way line of S.W. Seventh Avenue and a point on a curve; thence Northwesterly along the said Easterly right-of-way line and along a curve to the right, whose tangent bears North 54° 00' 36" West, with a radius of 630.35 feet and a central angle of 18° 52' 41", an arc distance of 207.69 feet to a point of compound curve; thence Northwesterly along the said Easterly right-ofway line and along a curve to the right, with a radius of 513.96 feet and a central angle of 35° 00' 00", an arc distance of 313.96 feet to a point of tangency; thence North 0° 07' 55" West, along the said Easterly right-of-way line and along the line 20.00 feet East of and parallel with the West line of said Block 1 and 2 of said KELLY'S SUBDIVISION and along the line of

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20.00 feet East of and parallel with the West line of said Block 19, BRYAN SUBDIVISION of Blocks 5, 8 and 19, a distance of 1008.08 feet to a point of curve; thence Northeasterly along a curve to the right, with a radius of 25.00 feet and a central angle of 90° 07' 55", an arc distance of 39.33 feet to a point of tangency; thence due East, along the South right-of-way line of Broward Boulevard and along the line 15.00 feet South of and parallel with the North line of said Block 19, BRYAN SUBDIVISION of Blocks 5, 8 and 19 and said Block 18, TOWN OF FORT LAUDERDALE, a distance of 898 .88 feet to the Point of Beginning.

All of the above said land situate, lying and being in the City of Fort Lauderdale, Broward County, Florida, and containing 22.8328 acres more or less.

Section 3. Sections 11, 12, 13, and 15 of section 3 of

chapter 2005-346, Laws of Florida, are amended to read:

Section 11. The director shall prepare and submit for the approval of the board a budget for the operation of the authority for the next fiscal year. Within 30 days The budget shall conform to the fiscal year of the city and shall contain the information required of all city departments. after approval by the board, a copy of the budget shall be delivered to the city by the director with a statement of the millage required

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therefor as determined by the board, which millage shall be levied by the city commission not to exceed the limits fixed by law. The operations of the authority shall be financed from any lawful source, including the following sources:

(1) Moneys borrowed and to be repaid from other funds received under the authority of this act.

- (2) Donations and contributions to the authority for the performance of its functions from any source, public or private.
- (3) Revenues from the rental, operation, or sale of assets, facilities, and projects of the authority.
- (4) Proceeds of special assessments and an ad valorem tax of property in the downtown area.

Section 12. The <u>authority city commission</u> is authorized to levy an ad valorem tax on all downtown real and personal property not exceeding 1 mill on the dollar valuation (as such valuations are assessed for the general ad valorem roll of the city) of such property for the purpose of financing the operation of the authority provided that no tax under this law shall be levied upon property which is exempt from taxation by general or constitutional law. The <u>city</u> tax collector shall transmit funds so collected to the appropriate officer of the <u>authority city</u> responsible for the handling of the public money who shall deposit same in <u>a bank account the city treasury to the credit</u> of the authority. Such money shall be used for no purpose other than those purposes authorized herein and only upon approval of the board, pursuant to vouchers signed by the

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director and the treasurer of the authority. The funds of the authority shall be secured as other public funds are secured. Other moneys received by the authority shall forthwith be deposited in the bank account city treasury to the credit of the authority, subject to disbursement as herein authorized.

Millage rules and s. 200.065, Florida Statutes, when adopting its budget and assessing the ad valorem tax authorized by this act city commission shall have the power to assess against the funds of the authority, for the use and benefit of the general fund of the city, a reasonable pro rata share of such funds for the cost of handling and auditing, which assessment when made shall be paid annually by the board pursuant to an appropriate item in the budget.

Section 15. On December 31, 2050 2030, this law shall expire and all assets of the authority shall on or before that date be transferred by the authority to the city. Any assets remaining in the hands of the authority on December 31, 2050 2030, shall automatically devolve upon and become the property of the city. In the event there shall be any indebtedness outstanding against the authority, the city may continue to levy whatever portion shall be necessary of the tax authorized by this law to retire such indebtedness.

Section 4. This act shall take effect only upon its approval by a majority vote of those qualified electors residing within the corporate limits of the Downtown Development

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Authority of the City of Fort Lauderdale, as described in section 2, voting in a referendum to be held in conjunction with the next general, special, or other election to be held in Broward County, except that this section shall take effect upon becoming a law.

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