

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: 12/18/07 ☐ Consent ☒ Regular
 ☐ Workshop ☐ Public Hearing

Department: Planning, Zoning and Building and the County Attorney

Submitted By: Planning Division

Submitted For: Planning, Zoning and Building and the County Attorney

=====

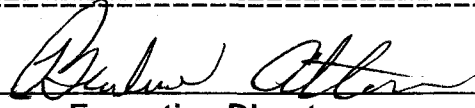

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends a motion to adopt: A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ADOPTING A RESPONDING RESOLUTION, AUTHORIZING PALM BEACH COUNTY, FLORIDA TO COMMENCE THE NEGOTIATION PROCESS FOR AN INTERLOCAL SERVICE BOUNDARY AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF BELLE GLADE, PURSUANT TO CHAPTER 171, PART II, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

Summary: On November 5, 2007, the City of Belle Glade adopted an Initiating Resolution pursuant to Chapter 171, Part II, F.S., as a first step in the process of completing an Interlocal Service Boundary Agreement for an area designated outside of the boundaries of the City. The area subject to the proposed agreement is depicted in Exhibit A of the resolution. This resolution also identifies issues that may be negotiated during the agreement process, including identifying service providers and possible planned improvements. By adopting this resolution, the negotiation process can begin, however, the County is not obligated to enter into the Interlocal Agreement. The resolution does not annex any property at this time. Planning Staff will work closely with key County agencies and City staff during the six months following the adoption of the responding resolution to develop an Interlocal Agreement, which will be subsequently presented to the Board at a later date. District 6 (RB)

Background and Policy Issues: The Intergovernmental Coordination Element Objective 1.4 states that Palm Beach County shall adopt policies and implement strategies which support municipal efforts to secure boundary changes that maintain cost-effective service delivery, assist in the elimination of enclaves, pockets and finger-like areas, and ensure consistency between municipal and County land use. The Statutes establish the Interlocal Service Boundary Agreement process as a flexible, joint planning option for Counties and municipalities to cooperatively adjust municipal boundaries while planning for service delivery and land use changes. Pursuant to State Statutes, this item is being presented to the Board within 60 days of receipt of the City's adoption of their initiating resolution. This proposed resolution is consistent with the Intergovernmental Coordination Element of the Comprehensive Plan.

- Attachments:**
1. Palm Beach County Proposed Responding Resolution
 2. Exhibit A Map of Designated Area
 3. Belle Glade Adopted Initiating Resolution
 4. Future Land Use Map of Designated Area

Recommended by:	 Executive Director	11/21/07 Date
Approved By:	 Deputy County Administrator	12/3/07 Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	20 <u>08</u>	20 <u>09</u>	20 <u>10</u>	20 <u>11</u>	20 <u>12</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	=====	=====	=====	=====	=====
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes _____ No _____
Budget Account No.: Fund _____ Agency _____ Org. _____ Object _____
Reporting Category _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

There is no fiscal impact associated with this item.

C. Departmental Fiscal Review:

Pat D'Agostino

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

[Signature] 11-28-07
OFMB
[Signature] 11/26/07
[Signature] 11/26/07

[Signature] 11/27/07
Contract Dev. and Control
[Signature] 11/27/07

B. Legal Sufficiency:

[Signature]
Assistant County Attorney

C. Other Department Review:

Department Director

RESOLUTION NO. R-2007-__

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ADOPTING A RESPONDING RESOLUTION, AUTHORIZING PALM BEACH COUNTY, FLORIDA TO COMMENCE THE NEGOTIATION PROCESS FOR AN INTERLOCAL SERVICE BOUNDARY AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF BELLE GLADE, PURSUANT TO CHAPTER 171, PART II, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Intergovernmental Coordination Element of the 1989 Comprehensive Plan states that Palm Beach County shall adopt policies and implement strategies which support municipal efforts to secure boundary changes that maintain cost-effective service delivery, assisting the elimination of enclaves, pockets and finger-like areas, and ensure consistency between municipal and County land use; and

WHEREAS, the Intergovernmental Coordination Element Policy of the 1989 Comprehensive Plan requires Palm Beach County to support municipal efforts to secure boundary changes; and

WHEREAS, the Intergovernmental Coordination Element Policy of the 1989 Comprehensive Plan requires the County to work with municipalities to determine areas to be considered for annexation; and

WHEREAS, Chapter 171, Part II, Florida Statutes (2007), as amended, establishes the Interlocal Service Boundary Agreement process as a flexible, joint planning option for Counties and municipalities to cooperatively adjust municipal boundaries while planning for service delivery and land use changes; and

WHEREAS, on November 5, 2007, the City of Belle Glade adopted an Initiating Resolution pursuant to Chapter 171, Part II, F.S., to commence the negotiation process for an interlocal service boundary agreement for an area (referred to herein as the "Area") described in Exhibit "A" attached hereto; and

WHEREAS, the City of Belle Glade complied with Chapter 171.203(1)(b), F.S., by sending a notification of the initiating resolution by United States certified mail to each municipality within Palm Beach County; and

WHEREAS, Chapter 171, Part II, Florida Statutes (2007), states that the Responding Resolution be presented to the Board of County Commissioners within sixty (60) days of receipt of the City's adoption of their Initiating Resolution.

WHEREAS, the Board of County Commissioners deems it in the best interest of Palm Beach County to negotiate an Interlocal Service Boundary Agreement with the City of Belle Glade for the area described in Exhibit "A" attached hereto and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The Board of County Commissioners hereby agrees to negotiate in good faith with the City of Belle Glade, in accordance with Chapter 171.203, Florida Statutes, to prepare an Interlocal Agreement to provide for a streamlined annexation and land use amendment process and schedule for properties within the "Area" and to designate the service provider(s) for the services identified in Section 2 herein.

2. The Interlocal Agreement shall identify all sub-areas that are lacking sanitary sewer service, water service, paved roads, sidewalks, streetlights, and adequate drainage, and will identify a plan for providing these services that are lacking or in need of improvement. Additionally, the Agreement will identify the service provider(s) within the "Area" for the following services.

- a. public safety;
- b. fire, emergency rescue, and medical;
- c. water and wastewater;
- d. road ownership, construction, and maintenance;
- e. conservation, parks, and recreation; and
- f. stormwater management and drainage.

3. The provisions of this resolution shall become effective upon adoption by the Board of County Commissioners.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Commissioner Addie L. Greene, Chairperson	—
Commissioner John F. Koons, Vice Chair	—
Commissioner Karen T. Marcus	—
Commissioner Robert J. Kanjian	—
Commissioner Mary McCarty	—
Commissioner Burt Aaronson	—
Commissioner Jess R. Santamaria	—

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the _____ day of _____, 2007.

ATTEST:
SHARON R. BOCK, CLERK

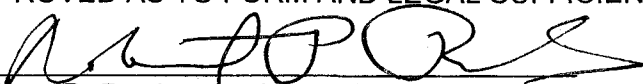
PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

By: _____
Deputy Clerk

By: _____
~~Addie Greene~~, Chairperson

**ADDIE L. GREENE
CHAIRPERSON**

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

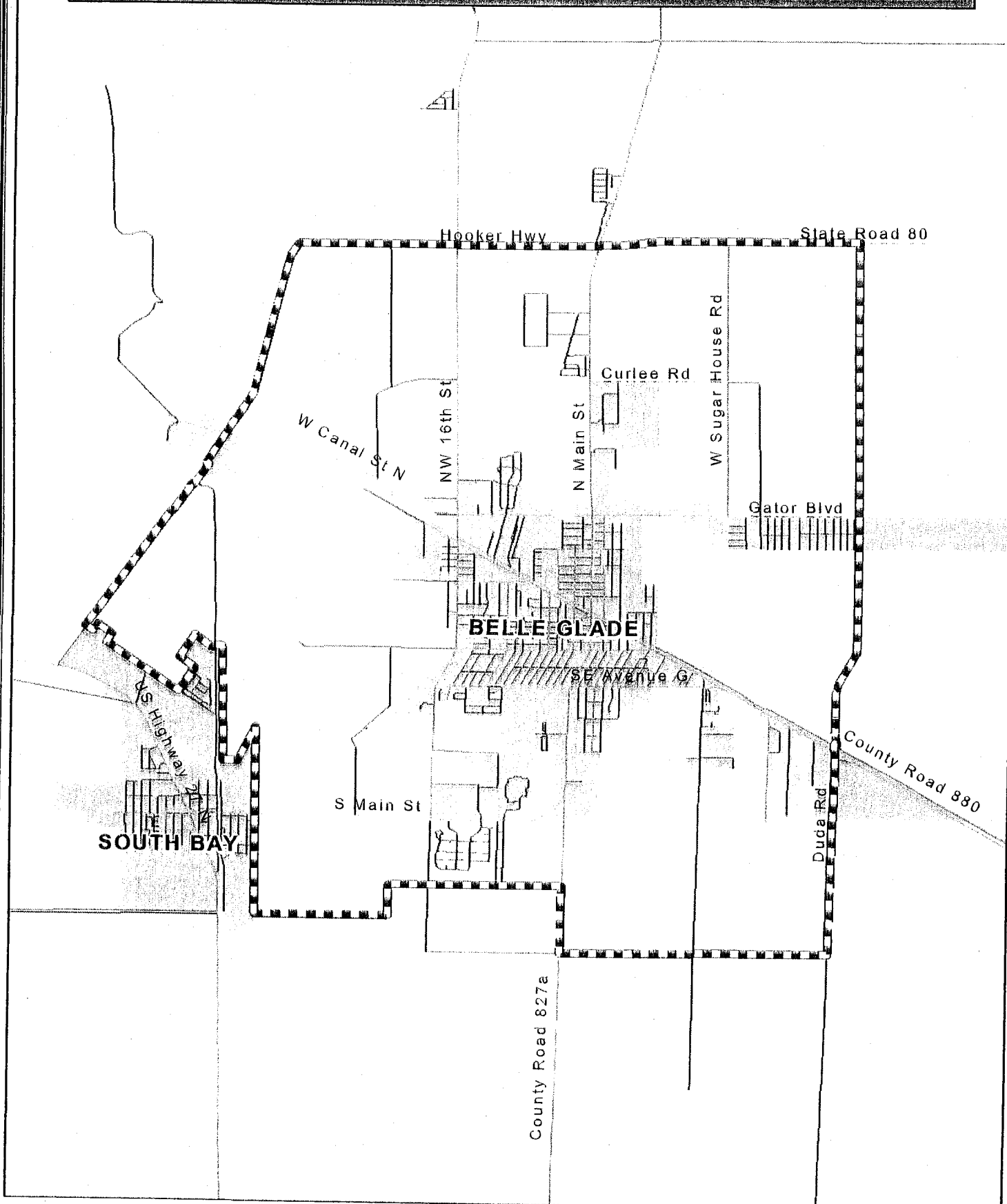

Robert P. Banks, Assistant County Attorney

Filed with the Department of State on the ____ day of _____, 2007.

T:\planning\Intergovernmental\Annexations\2008 Fiscal Year\Interlocal\Belle Glade\Responding Resolution-Belle Glade.doc

EXHIBIT A

Interlocal Service Boundary Agreement (ISBA) Boundary



Date: 11/16/97
Contact: Patricia Behn
Filename: N:\D:\Proj\Waxes\FY08
BGBG Rec\Frac.mxd
Note: Map is not official, for
presentations purposes only.



ISBA Boundary

Municipality

Scale: 1,000 0 1,000 2,000 Feet



Planning, Zoning
& Building
200 N. Jog Rd
West Palm Beach, FL 33411
Phone (561) 223-5300





City of Belle Glade

Office of the City Clerk

RECEIVED NOV 13 2007

November 8, 2007

Commissioners

Donald D. Garrett
Mayor

Mary S. Kendall
Vice Mayor

Gwendolyn J.L. Asia-Williams
Treasurer

Shelly S. Miller

Dr. Ray Torres Sanchez

William F. Underwood, II
City Manager

Robert Weisman
County Administrator
Palm Beach County
301 N. Olive Avenue
West Palm Beach, FL 33401

RE: Service Boundary Agreement

Dear Mr. Weisman:

During the regular meeting of November 5, 2007, the Belle Glade City Commission adopted Resolution No. 2622, authorizing the City of Belle Glade to commence the negotiation process for an Interlocal Service Boundary Agreement with Palm Beach County. Please find attached a certified copy of said Resolution.

As governed by Florida Statutes 171.203, a copy of this Resolution is being forwarded to the entities listed in the attached mailing list.

Your time and attention in this matter is greatly appreciated, and should you have any questions, please feel free to contact me.

Sincerely,

Debra R. Buff, CMC
City Clerk

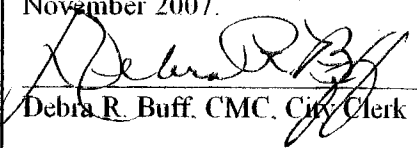
Attachments (2)

cc: Honorable Addie Greene, Chairperson, Board of County Commissioners
William F. Underwood, II, City Manager

Tel: 561-996-0100
Fax: 561-993-1814

www.belleglade-fl.com

I, Debra R. Buff, City Clerk of the City of Belle Glade do hereby certify that this document is a true and correct copy of the original Resolution, No. 2622, on file in the Office of the City Clerk. Certified this 8th day of November 2007.


Debra R. Buff, CMC, City Clerk

RESOLUTION NO. 2622

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BELLE GLADE, FLORIDA, AUTHORIZING THE CITY OF BELLE GLADE TO COMMENCE THE NEGOTIATION PROCESS FOR AN INTERLOCAL SERVICE BOUNDARY AGREEMENT BETWEEN THE CITY OF BELLE GLADE AND PALM BEACH COUNTY, PURSUANT TO SECTION 171.203, *FLORIDA STATUTES*; PROVIDING THAT THIS RESOLUTION SHALL ACT AS THE REQUIRED INITIATING RESOLUTION UNDER CHAPTER 171, PART II, *FLORIDA STATUTES*; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, the City Commission of the City of Belle Glade deems it in the best interest of the City to negotiate an Interlocal Service Boundary Agreement with Palm Beach County, for the area described in Exhibit "A" attached hereto; and

WHEREAS, the City of Belle Glade desires to annex properties within Palm Beach County's urban services boundary area; and

WHEREAS, Chapter 171, Part II, *Florida Statutes (2007)*, entitled "Interlocal Service Boundary Agreements", establishes a more flexible process of adjusting municipal boundaries through intergovernmental coordination in planning and service delivery; and

WHEREAS, the City staff has recommended that the City Commission approve the authorization of the commencement of the negotiations of an Interlocal Service Boundary Agreement between the City of Belle Glade and Palm Beach County.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF BELLE GLADE, FLORIDA, AS FOLLOWS:

Section 1. The City of Belle Glade, Florida hereby agrees to begin to negotiate in good faith with Palm Beach County, in accordance with the "Interlocal Service Boundary Agreement Act" set forth in Chapter 171, Part II, *Florida Statutes (2007)*, regarding a streamlined annexation and land use amendment process for property currently in the unincorporated area of the County as outlined on the Exhibit "A", a copy of which is attached hereto and incorporated

Resolution No. 2622 Continued

herein by reference; and further agrees to address during the negotiations the areas outlined hereinbelow at Section 2. of this resolution.

Section 2. The City of Belle Glade agrees that negotiations regarding an Interlocal Service Boundary Agreement will address, at a minimum, issues concerning service delivery, fiscal responsibilities, and boundary adjustment as they concern the City's and the County's responsibilities for the funding and delivery of the following services:

1. Public safety;
2. Fire, emergency rescue, and medical;
3. Water and wastewater;
4. Road ownership, construction, and maintenance;
5. Conservation, parks and recreation; and
6. Stormwater management and drainage.

Section 3. This Resolution shall take effect immediately upon its passage

DONE AND RESOLVED at Regular Session of the City Commission of the City of Belle Glade, Florida, this 5th day of November, 2007.

CITY OF BELLE GLADE, FLORIDA

Mayor Garrett
Vice Mayor Kendall
Commissioner Asia-Williams
Commissioner Miller
Commissioner Sanchez

AYE NAY

✓
✓
✓
✓
✓

[Signatures of Mayor Garrett, Vice Mayor Kendall, Commissioner Asia-Williams, Commissioner Miller, and Commissioner Sanchez]

(Municipal Seal)

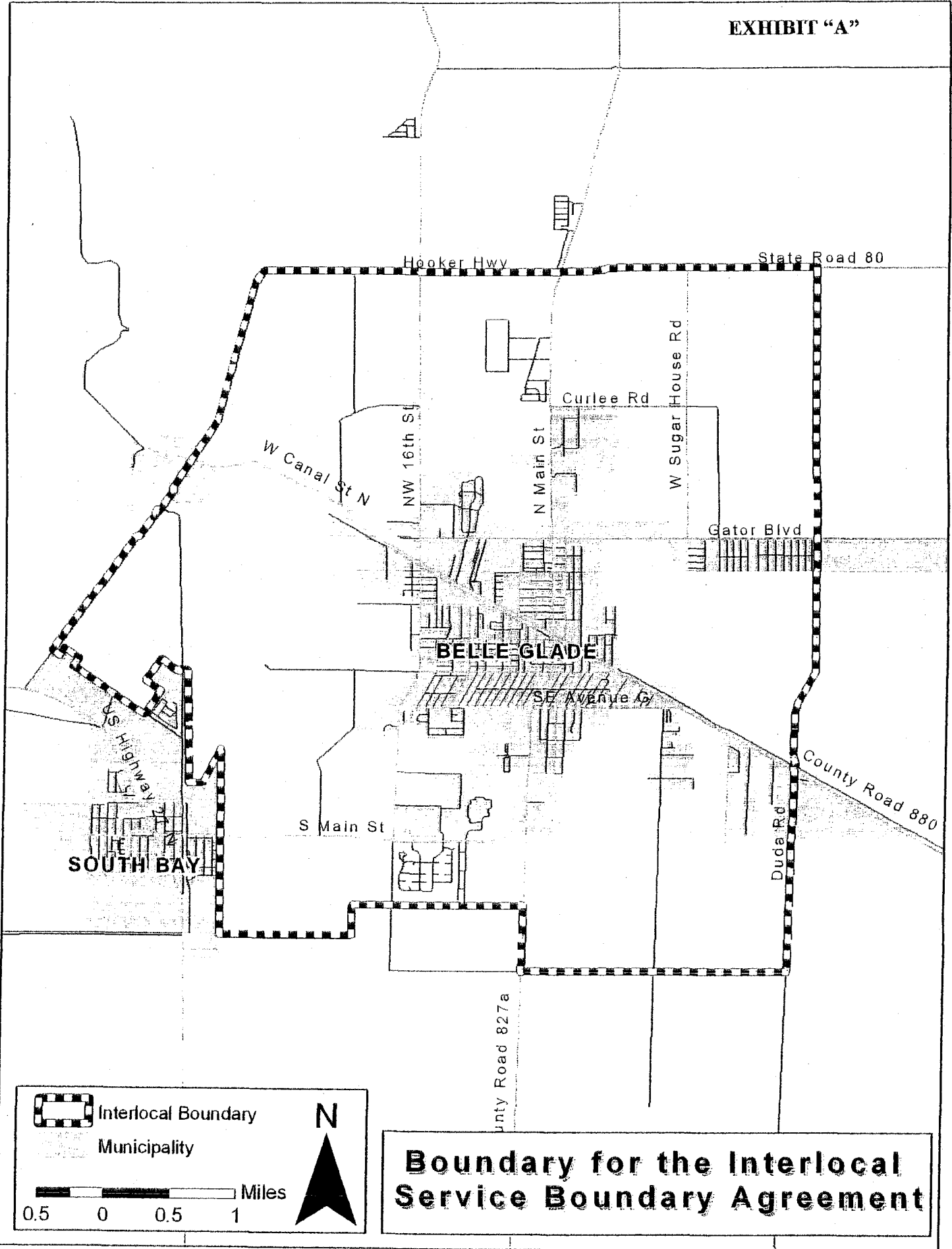
Attest:

[Signature of Debra R. Buff]
Debra R. Buff, CMC, City Clerk

APPROVED AS TO FORM &
LEGAL SUFFICIENCY

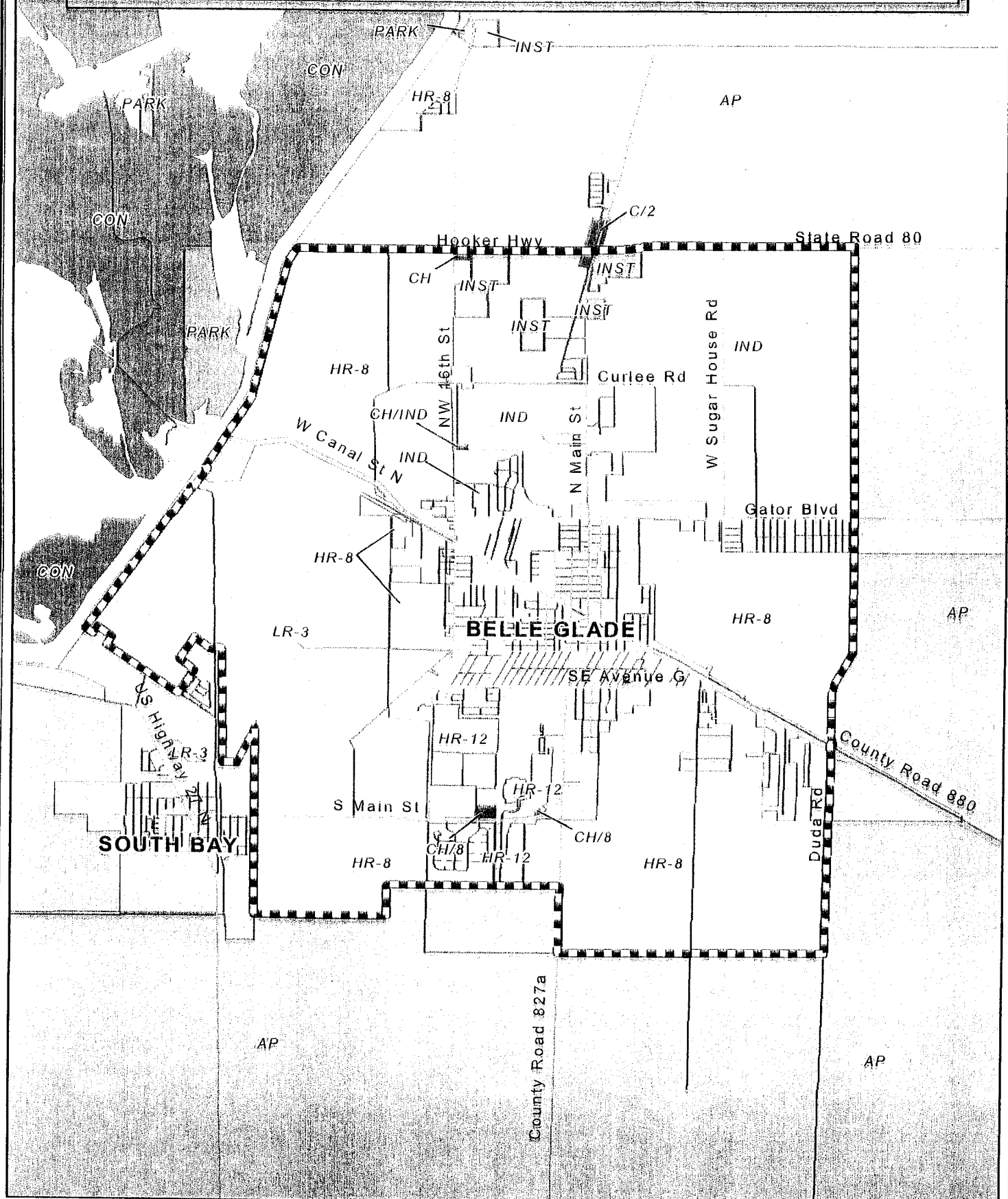
[Signature of Glen J. Torcivia]
Glen J. Torcivia, City Attorney

EXHIBIT "A"



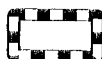
PBC Future Land Use Map

Interlocal Service Boundary Agreement (ISBA) Boundary



Date: 11/19/97
 Contact: Patricia Behn
 Filename: N:\GIS\Pro\Map\FL\Map
 BOB\GIS\Pro\Map\FL\Map

Note: Map is not official, for
 informational purposes only.



ISBA Boundary

Municipality

1,000 0 1,000 2,000 Feet



Planning, Zoning
 & Building
 2300 N. Jog Rd.
 West Palm Beach, FL 33411
 Phone (561) 233-5900

