

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

Meeting Date: 3/11/08      ☒ Consent      ☐ Regular  
    ☐ Workshop      ☐ Public Hearing

Department: Planning, Zoning and Building

Submitted By: Planning Division

Submitted For: Planning, Zoning and Building

**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 PARTICIPATING RESOLUTION, AUTHORIZING PALM BEACH COUNTY, FLORIDA TO ALLOW THE CITY OF SOUTH BAY (REQUESTING MUNICIPALITY) TO PARTICIPATE IN THE NEGOTIATION PROCESS FOR THE 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:** In November of 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. Palm Beach County then adopted a Responding Resolution in December of 2007, to begin the negotiation process. Thereafter, the City of South Bay requested to be included in the negotiation process, considering that the southwest portion of the boundary is within South Bay's future annexation area, by adopting a Requesting Resolution in January of 2008. This Participating Resolution provides County agreement for South Bay to participate in the negotiations. The provisions of this resolution shall become effective upon adoption by the Board of County Commissioners and approval of a Participating Resolution by the City of Belle Glade. It is anticipated that the City of Belle Glade will adopt a participating resolution in the near future. The area subject to the proposed agreement is depicted in Exhibit A of the resolution. By adopting this resolution, the negotiation process can begin. 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 the staffs and consultants from both cities during the six months following the adoption of the resolution to develop an agreement that will be presented to the Board at a later date. District 6 (RB)

**Background and Justification:** 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. This proposed participating resolution is consistent with the Intergovernmental Coordination Element of the Comprehensive Plan.

**Attachments:** 1. Palm Beach County Proposed Participating Resolution  
 2. Exhibit A Map of Designated Area  
 3. South Bay Adopted Initiating Resolution No. 15-2008

Recommended by: \_\_\_\_\_

Executive Director

Date

Approved By: \_\_\_\_\_

Deputy County Administrator

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'Agnone*

## III. REVIEW COMMENTS

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

*Atwillhite 3.25.08*  
*ll 2/22/08* OFMB *SK 2/21/08* *CH 2/14/08*  
*for Ann J. Jacobus 2/26/08* Contract Dev. and Control

### B. Legal Sufficiency:

*[Signature]*  
Assistant County Attorney

### C. Other Department Review:

\_\_\_\_\_  
Department Director



RESOLUTION NO. R-2008-\_\_\_\_

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, ADOPTING A PARTICIPATING RESOLUTION, AUTHORIZING PALM BEACH COUNTY, FLORIDA TO ALLOW THE CITY OF SOUTH BAY (REQUESTING MUNICIPALITY) TO PARTICIPATE IN THE NEGOTIATION PROCESS FOR THE INTERLOCAL SERVICE BOUNDARY AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF BELLE GLADE (INITIATING MUNICIPALITY), 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 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 No. 2622 to commence the negotiation process for an Interlocal Service Boundary Agreement with Palm Beach County; and

**WHEREAS**, pursuant to Chapter 171.203(3), Part II, F.S., the Board of County Commissioners adopted a Responding Resolution No. R-2007-2311, on December 18, 2007, authorizing Palm Beach County to commence the negotiation process for an Interlocal Service Boundary Agreement; and

**WHEREAS**, on January 10, 2008, the City of South Bay received the adopted responding resolution and subsequently adopted a Requesting Resolution No. 15-2008 on January 15, 2008, pursuant to Chapter 171.203(3), Part II, F.S., to request participation in the negotiation process for an Interlocal Service Boundary Agreement between the County and the City of Belle Glade, and meeting the requirements of the Statutes whereby adopting the resolution within ten (10) days after receipt of the responding resolution; and

**WHEREAS**, the City of South Bay complied with Chapter 171.203(3), F.S., by mailing the resolution by United States certified mail to the chief administrative officer of the initiating municipality and the County on January 22, 2008, within 7 days after adoption of the requesting resolution; and

**WHEREAS**, the City of Belle Glade will be considering a participating resolution allowing the City of South Bay to participate in the negotiations; and

**WHEREAS**, the Board of County Commissioners deems it in the best interest of Palm Beach County to include South Bay in the negotiations with the City of Belle Glade regarding the development of an Interlocal Service Boundary Agreement 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:

**Section 1.** The County hereby adopts this Participating Resolution and allows the City of South Bay to participate in negotiations with the City of Belle Glade and the County regarding the development of an Interlocal Service Boundary Agreement pursuant to the provisions of Chapter 171.203(3), F.S. (2007).

**Section 2.** The provisions of this resolution shall become effective upon adoption by the Board of County Commissioners and approval of a Participating Resolution by the City of Belle Glade.

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 \_\_\_\_\_, 2008.

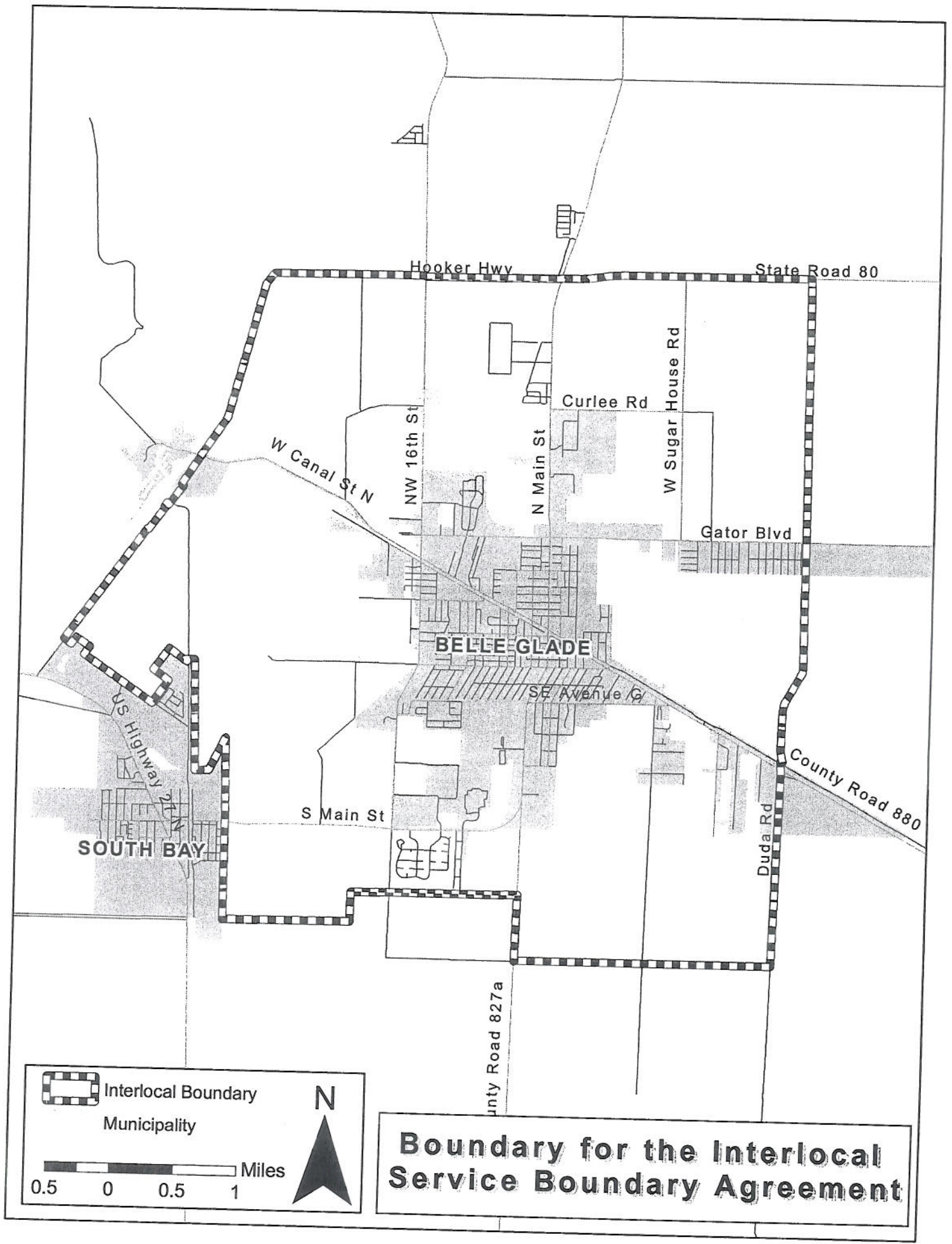
ATTEST:  
SHARON R. BOCK, Clerk &  
Comptroller

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
Assistant County Attorney





**RESOLUTION NO. 15-2008**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, PALM BEACH COUNTY, FLORIDA, ADOPTING A REQUESTING RESOLUTION, REQUESTING THAT PALM BEACH COUNTY, FLORIDA AND THE CITY OF BELLE GLADE ADOPT PARTICIPATING RESOLUTIONS ALLOWING THE CITY OF SOUTH BAY TO PARTICIPATE IN NEGOTIATIONS ON THE ADOPTION OF AN INTERLOCAL SERVICE BOUNDARY AGREEMENT, PURSUANT TO CHAPTER 171, PART II, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Intergovernmental Coordination Element of the Palm Beach County 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 proposed interlocal service boundary is immediately contiguous with the existing boundaries of the City of South Bay and the City of South Bay has adopted a Vision Statement that shows its future urban service boundary is located within the proposed interlocal service boundary.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SOUTH BAY, PALM BEACH COUNTY, FLORIDA, that:**

1. The future expansion of the City boundaries by annexation is critical to the City meeting its long range goals for fiscal viability, and



2. The City has planned for annexation of certain areas located within the proposed Interlocal service boundary.

3. The City is committed to negotiating a future urban services area pursuant to the provisions of Chapter 171.203(3) Florida Statutes (2007), as amended, in cooperation with the City of Belle Glade and Palm Beach County.

4. The City hereby request that Palm Beach County and the City of Belle Glade adopt participating resolutions allowing the City of South Bay to participate in negotiations.

The foregoing resolution was offered by Commissioner S. WALKER-TURNER who moved its adoption. The motion was seconded by Commissioner JOHN WILSON and, being put to a vote, the vote was as follows:

Mayor Clarence E. Anthony 

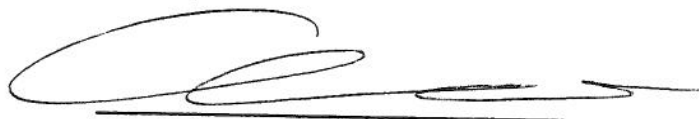
Vice Mayor Esther Berry

Commissioner Joe Kyles 

Commissioner Shirley Walker Turner 

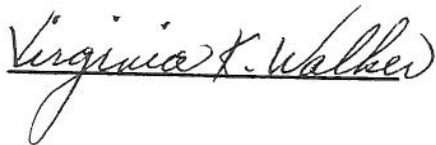
Commissioner John Wilson 

The Mayor thereupon declared the Resolution duly passed and adopted this 15th day of January, 2008.



CLARENCE E. ANTHONY, MAYOR

ATTEST:  
VIRGINIA WALKER, CLERK



Approved as to legal sufficiency:

\_\_\_\_\_  
THOMAS MONTGOMERY  
CITY ATTORNEY


## **CERTIFICATION OF TRUE COPY**

**STATE OF *FLORIDA***  
**COUNTY OF *PALM BEACH***

**I**, the undersigned, duly appointed City Clerk of the City of South Bay, Florida, **DO HEREBY CERTIFY** that the attached hereto is a true and correct copy of Documents on file in the City Clerk's Office at 335 SW 2<sup>nd</sup> Avenue, South Bay, Florida

**WITNESS**, my hand and the corporate seal of the City of South Bay, Florida, this 15<sup>TH</sup> day of January, 2008.

(Corporate Seal)

  
**Virginia K. Walker**  
**City Clerk**  
**CITY OF SOUTH BAY**  
**FLORIDA**